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The Truth of History

A Study in Political Development

By

ST. GEORGE R. FITZHUGH

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FOREWORD

As one comes face to face with the sunset of life, he realizes that service and not exploitation is the highest duty and the loftiest aspiration. It is then, when the things of self are a little past, that he seeks to leave some labor of good to others as a monument.

Our Civil War, with the complicated events that led up to it, was, after the American Revolution, the most remarkable drama of modern history. Naturally, many mistakes have been made in writing about it. If the author of this study shall succeed in correcting some of the current errors and delusions about the Civil War, overlooked by the historians, and, by a truthful presentation of the issues involved, teach vital lessons, both moral and political, he will be fully compensated for the labor his search after truth has occasioned him. There is a satisfaction in the reflection that, by reason of the lapse of time, his revelations cannot wound the feelings of the living, though they may lay just condemnation on the graves of some who are dead.

The author has constructed his thesis of the meaning of English and American history by a laborious study of the works of the great historians, from whom he freely quotes in support of his positions. How American democracy "derived", in the language of genealogists, how it grew to fruition, how it was imperilled by the Civil War, how it is still endangered by the results of that war—this is his story.

The author, though an obscure actor in the Civil War, had admirable opportunities for understanding it, as he was on the firing line of the Army of Northern Virginia in every battle it fought after the First Bull Run, shed his blood lavishly at Petersburg in September, 1864, and was assured by nine cocksure surgeons that he could not survive more than a few hours a wound inflicted by a slug in passing through his body. This prognosis he repudiated, recovered in time to take part in the retreat from Petersburg on April 2, 1865, and was a prisoner in the Old Capitol in Washington on the night of Lincoln's assassination.

He would greatly prefer that his own personality should be invisible, but he finds it necessary on some occasions to bear testimony to events that came under his personal observation.

Editor's Note

St. George R. Fitzhugh, the author, died in February, 1925, leaving his manuscript incomplete. It has been the editor's task to cut down the very long quotations, insert the narrative left by Mr. Fitzhugh, and construct from rough notes some additions.

CHAPTER I.

Ancient Civilization

WHEN we look on history as a whole, we perceive that mankind has climbed far in the five thousand years of its recorded life on the globe, but if we examine the record in detail we find that it is almost as much a story of backsliding as of progress, of failure as of success.

Particularly is this the case in the political history of man. Time and again communities have attained liberty and have stood on the threshold of achievements, only to lose that liberty and to fall back into sloth and nothingness. Indeed, it would almost seem that liberty is not the natural state of man, that autocracy is his inevitable government. Yet running through the long list of failures, of lost causes and vanished nations that make up history, there is a distinct line of development that continues from the earliest civilization of earth to the America of our day. Through multitudinous setbacks and crises progress has been maintained. Time and again the weakness and folly of the multitude would seem to have frustrated it, put back the clock, brought in another day of

autocracy; but each time some great man has arisen, as if by the sending of Providence, and saved the precious progress of humanity toward better things.

Civilization began in Egypt. It was here that man first emerged from the darkness of barbarism and began the conquest of nature, and so remarkable was this flowering of the human mind in ancient Egypt, thousands of years ago, that we today are much indebted to those first discoverers and inventors of hoary antiquity. Charles W. Gould, in *America—A Family Matter,* tells of the birth of civilization:

> Perhaps the greatest historic triumph of scientific scholarship has been the unfolding and development of the story of Egypt.
>
> The story begins about three thousand five hundred years before Christ and ends three thousand years later in the conquest of Cambyses the Persian. No other race or nation can exhibit such a long continuity of political life. It is unparalleled. But this is not all, for all scientists concur in suggesting a still more remote past for the origin of this strange people. The end we know, but the beginnings are not yet discovered.
>
> The same creative mental power which constructed the calendar which we now use, and which lay behind its other attainments, fitted Egypt for artistic and industrial life.
>
> Of all our earthly tasks thinking is probably the hardest work, and yet the splendid temples which now arose with their art and ritual are at once the result

and the indication of concentrated mental effort. This, the most arduous toil known to man, was continuously involved in the production of the multifarious improvements and growing wealth which made the temples possible. Intelligent exertion constantly increased fullness of life, and this in turn increased the needs and necessities which fuller life demanded. These increased needs and necessities were met by ever increasing intlligence which was not the result of accident or chance, but of birth and breeding.

Already another one of the evils which destroy Egypt appears. Captives in war become slaves and intermingle and intermarry with the people, and as their number increases so does the evil. The stock deteriorates.

What were the sources of that virile political life that had sprung up with the Hyksos? It would seem that these sources were not far to seek. For over two thousand years Egypt in her isolation had retained and multiplied her original population, and for a great portion of the time her people had acted as a united race. First the broils of anarchy destroy many of the best, and in the loss of unity of action the kingdom sacrifices much of its momentum. Later the inroads of the foreigners, whether by hostile or peaceful intrusion, still further weaken the original blood. Her career of empire, foreign war, and conquest sweeps away thousands of her strongest and best, introduce foreigners by the thousands as slaves.

The Egyptian intelligence was one of the most wonderful faculties which ever animated and inspired man. Their statutes, which wasteful war has overturned; their masonry, which broils have attempted to root out, still stand in their battered fragments to testify that the poet was right, nor Mars his sword nor war's quick fire shall burn the living record of their masonry.

Can you think of such a race as this, a vital, breathing and inspiring force in the whole of our civilization, as dead and gone. It is well for us to pause and recall our deep debt.

Greece learned from Egypt, and when Egypt fell by reason of weight of years and the mixture of races, the Greek cities were ready to take up the burden of progress. The Greeks, in many respects, were the most remarkable race that has appeared on earth. Art and literature may be said to have originated with them; scientific they hardly were, though their intelligence was such that in the last ages of Greek civilization scientific knowledge made many advances. In politics the Greeks were the first innovators and, in the governments of their cities, kings were set aside for oligarchic and, in a few cases, democratic governments. In Athens, four hundred years before Christ, there existed the purest democracy the world has ever seen. It soon fell, for it was too good to be true, but its shining example lighted the ages of despotism that followed and inspired mankind to hope for free government once more. Greece failed because the mutual jealousies of the cities was so great, their insistence on local independence so strong, that no national government could be erected. These divisions

were a warning to the founders of the American nation against localism and sectionalism.

Gould thus speaks of Athens:

After the Persian wars Athens relaxed her rules and thereafter for about thirty years strangers were freely admitted as Athenian citizens. It is reckoned that thirty thousand at least were in this way added to the population, and, granting that the population of Athens numbered one hundred thousand, one authority states that out of every ten such inhabitants four were slaves, one or two were strangers, and four or five of the old stock.

It is conceded, nevertheless, that the average intelligence in Athens at this time was very high—so high that in the period of a hundred years after the Persian wars Athens alone produced more great men than the whole of Europe has since brought forth. Notwithstanding this, democracy in Athens was just as apt to be carried away by its emotions, just as incapable of pursuing for years a determined and fixed policy, as the population of a democratic state today. The able leader in Athens wasted the greater part of his force first in inciting his people to adopt a proper line of action, and second in constant effort to keep them resolute and staunch, and then in addition he had to have sufficient energy left to conduct state affairs. This implied a man of great physical as well as intellectual power.

The fall of Athens is a sad story. Immediately on the death of Pericles, power was sought by various demagogues. Cleon the tanner misled Athens for years. The average Athenian preferred the mistakes of mediocrity, which he could understand and with which he could sympathize, to the achievements of

genius, which were to him incomprehensible and with whose patient anticipation of benefits far in the future and to be obtained by long time and persistent effort he had no sympathy whatever.

Able men there were, born leaders of men, but these the Athenians in great measure murdered or banished. Even a partial list is appalling.

The percentage of talent in Athens was larger than in England or America today, but yet it was unable to leaven the mass and was lost in the ignorant vote. The government was literally mob rule with few or none of the safeguards which our forefathers placed about the function of authority, and it was a signal failure.

But against the gloom of this dark background Greek genius glows effulgent. Supreme in art, in literature great, in philosophy immortal, Athens amazes at once in her dignity and in her baseness. The stock was splendid and could it have been conserved, the world might have told another and a better tale.

The glory of Athens was followed by a long, slow decline in the mental power of the human race. The world now came under the sway of a different type of man. Both Egyptians and Greeks were idealists—the Egyptians scientific and religious investigators, the Greeks artistic and literary creators; even the Macedonians, who followed the Greeks, were imbued with the ideals of Grecian culture. Indeed, Greek civilization was so burned into human consciousness that it was never entirely lost even in the darkness

of succeeding ages. However, the Romans, the masters of the European world for centuries, were rough materialists. They created little except improvements in the art of war. They borrowed something from the Greeks, but they repaid the debt by enslaving Greece.

Rome inherited its form of government from Greece; it was a city republic, at first embracing little more than the land within the walls, at length extending its power until it swayed Italy, Spain, Gaul, northern Africa, and western Asia. But in the very height of its power it decayed; its government by senate and popular assembly became corrupt and rotted onward toward its end. Finally came the great struggle for power between Pompey and Julius Caesar that ended in the victory of the latter. A half century before the birth of Christ, the Roman republic, as it still nominally continued to be, became the Roman empire.

Gould thus speaks of the Rome of Caesar's day:

> Caesar's Rome was the vilest spot on earth. The vilest houses were multiplied everywhere. The vilest inhabited them, the vilest thronged them. These abominations were the clubs, the social and civic centres. In them public offices were sold, murders planned, law

suits decided, jurors bought, voters bribed. They were the headquarters of every kind of villainy. Suddenly the sale of public offices ceased. There was but one man who could appoint. Murder, for the first time in a generation or two, began to be a dangerous occupation. A past master in that art was recognized. The judges suddenly began to wash their hands. The jurors began to weigh evidence, and not gold pieces, and many choice spots of real estate rapidly declined in value. Thus far could one man go. But no man could cleanse Rome—at least not while its then inhabitants lived.

Women were thoroughly enfranchised. The word "wife" to a great extent meant a thing which slipped on and off like an old shoe. The women had educated the men to a curious mental attitude.

Let us turn from this revolting picture of immorality and consider intellectual matters. What was the mental capacity of the Romans at this time? We know Caesar was a man of rare ability. What of the rest? All admit he left no Caesar surviving him. He was the last man of genius for nearly a thousand years which the Mediterranean coasts produced. For eighteen hundred years darkling stood the varying shore of the ancient world. Did he leave to succeed him any man approaching him in brain power? No, not one. He left nothing but little men with little brains. True, they differed in capacity. Men were no more "born equal" in Rome than in any other place, but intelligence, while some had more and some had less, never rose above rank mediocrity, and was even in the best a poor commodity.

No man then living in Rome had ever known it as a republic. No man then living in Rome knew what a republic was. A republic is a state of mind. So soon as Rome's military power put aside all fear of national calamity, and corruption of blood and individual self-

seeking replaced common self-abnegation for common exaltation of the commonwealth, the state of mind which alone makes possible a republic ceased to exist. While that state of mind endured a republic only was possible. When it ceased, tyranny by the many or by the one, only was possible. For one hundred and fifty years Rome, retaining many of the old names, had been governed by an oligarchy incredibly base. It merely meant, when it said "republic", the plunder of the provinces for the benefit of the few, abject misery for the many.

The Roman Senate in a full session numbered at this time between four and five hundred present. These were selected men—the very best. For weeks before Caesar's death plans were being matured to murder him. Of the carefully selected Senate, sixty men, the bravest, the boldest, the most capable, had been discussed, backward and forward.

On the fatal morning, every detail had been attended to. Antony, whom Caesar had associated with him as consul for that year, was, as had been arranged, detained in conversation by one of the conspirators, but Caesar did not come. Time dragged on. Not one of the sixty had had sixty minutes' sleep the night before. They were all distinctly frightened. What was to be done? One of the many close, obliged, personal friends of Caesar among them was deputed to go to his house and fetch him to the slaughter. He went, found him indisposed and his attendance at the Senate House given up, rallied him, encouraged him, and having gotten him into good spirits brought him to another Aceldama, another field of blood. The band fell on him. Armed only with a stylus, he fought them all to the last and fell covered with jagged wounds.

What did Rome do for the intellectual betterment of mankind? In her early days she gave many splendid examples of courage, fortitude and character; examples not winning but nevertheless commanding; examples marked by sturdy common sense. In her whole career, however, she never produced a single man distinguished for purely intellectual force. In later years she paraded her rich men with tedious iteration and tedious monotony, and they in turn ostentatiously and with tiresome sameness paraded their wealth. Her generals she worshipped. Her great and unique gift was law. To the cohesion imparted by its administration Finlay attributes the longevity of the Empire.

Rome's influence on the world she conquered was, from the point of view of study, knowledge, mental improvement, a hindrance, not a help. She did not elevate, she abased. This course she remorselessly followed for two centuries. Nearly every one of the Eastern courts upon which she laid her heavy hand was a center of Hellenistic culture. Nearly every Eastern city nurtured and honored Greek tradition. One after another, these sacred fires were extinguished. "The dominion of the Romans degraded the human species."

The Roman empire was fully established by Augustus, the heir and successor of Julius Caesar. The Roman senate, which had once possessed legislative and executive power, remained, but it no longer had any real authority. The government of Rome was an autocracy, with the emperor as the head: the religion of Rome degenerated into a worship of the emperor as the head of the state.

Not for many generations did the emperor remain the real ruler. Rome was a military despotism after the fall of the senate under Julius Caesar, and the legions now took a part in the game of empire. Political revolution was suceeded by military revolution, and Nero, the last emperor of the line of Caesar, perished in a revolt of Galba's legions. For generations the troops garrisoning Rome, and later distant legions, held the power and made and killed emperors at pleasure.

The Roman empire, divided into an empire of the East and one of the West, degenerated. It was ruled by a bureaucracy after the army was overthrown and the head of the bureaucracy was the emperor. The people were crushed by taxes, progress came to an end, art and literature deteriorated. It was a far cry to the old days when the Roman people had made laws in the popular assembly.

And now an enemy from without put an end to the decaying body of ancient civilization. The barbarians of northern Europe had been beating against the frontiers of the empire for centuries. At length one of these barbarians in the service of Rome dethroned the last emperor of the West, Romulus Augustulus, in 476 A. D. and the empire, as it had existed in Italy, Gaul (France) and

Spain, came to an end. There was another Roman empire with a capital at Constantinople, but this became more and more Greek and at length abandoned the Latin language. This was the Byzantine empire, which lasted, with many a peril, until its overthrow by the Turks in 1453, just forty years before the discovery of America.

After the fall of the Roman empire in 476 A. D., all of western Europe was a prey to invasion and conquest for centuries. Nation after nation of invaders swept down through the passes of the Alps into Italy; war was so chronic that men hardly knew that there had ever been peace. Ancient civilization perished almost entirely; Europe was plunged in brutal ignorance. The great Roman empire was replaced by the feudal system, which was the rule of thousands of petty lords. Commerce and literature vanished. The blackness of this darkness was lighted, however, by Christianity; and at length, out of the welter of the feudal system, emerged what were to be the Italian, Spanish, French, German and English nations. In other words, modern nations were about to arise, and those nations were to be guided not by the corrupt ethics of antiquity, but by the pure light of the religion of Christ. Many of the arts of

Greece had come down, and to them were added the inventions of gunpowder and the printing press. Humanity, after centuries of failure, was again ready for an attempt to realize freedom and good government.

CHAPTER II.

English Liberty

LL the peoples of western Europe evolved some idea of representative government in the Middle Ages; in all of them there were councils to help the ruler and to vote taxes, but in all but one nation these early representative bodies were doomed to failure. In Spain they were overthrown by the Emperor Charles V. early in the sixteenth century. In France, the States General maintained its checkered existence until 1614 and then withered before the absolutism of the Bourbon kings. In England, Parliament survived its perils and has lived on to this day, to serve as a model of a representative assembly in every nation on earth that has representative government.

The famous English historian, Lord Macaulay, thus describes the rise of the English nation:

> Nothing in the early existence of Britain indicated the greatness which she was destined to attain. Her inhabitants when first they became known to the Tyrian mariners were little superior to the natives of the

Sandwich Islands. She was subjugated by the Roman arms but she received only a faint tincture of Roman arts and letters. In our island the Latin appears never to have superseded the old Gaelic speech, and could not hold its ground against the German. The scanty and superficial civilization which the Britons had derived from their Southern masters was effaced by the calamities of the fifth century.

At length the darkness begins to break; and the country which had been lost to view as Britain reappears as England. The conversion of the Saxon colonists to Christianity was the first of a long series of salutary revolutions.

The church had many times been compared by divines to the ark of which we read in the Book of Genesis: but never was the resemblance more perfect than during that evil time when she alone rode, amidst darkness and tempest, on the deluge beneath which all the great works of ancient power and wisdom lay entombed, bearing within her that feeble germ from which a second and more glorious civilization was to spring.

During many years Denmark and Scandinavia continued to pour forth innumerable pirates, distinguished by strength, by valour, by merciless ferocity, and by hatred of the Christian name. Her coast lay near to the ports whence they sailed; nor was any shore so far distant from the sea as to be secure from attack. The same atrocities which had attended the victory of the Saxon over the Celt were now, after the lapse of ages, suffered by the Saxon at the hand of the Dane. Civilization, just as it began to rise, was met by this blow, and sank down once more. Large colonies of adventurers from the Baltic established themselves on the eastern shores of our island, spread gradually westward, and, supported by constant reinforcements

from beyond the sea, aspired to the dominion of the whole realm. At length the North ceased to send forth a constant stream of fresh depredators; and from that time the mutual aversion of the races began to subside.

The Normans were then the foremost race of the Christendom. Their valour and ferocity had made them conspicuous among the rovers whom Scandinavia had sent forth to ravage Western Europe. Their sails were long the terror of both coasts of the Channel. Their arms were repeatedly carried into the heart of the Carlovingian empire, and were victorious under the walls of Maestricht and Paris. At length one of the feeble heirs of Charlemagne ceded to the strangers a fertile province watered by a noble river, and contiguous to the sea which was their favourite element. In that province they founded a mighty state, which gradually extended its influence over the neighbouring principalities of Brittany and Maine.

The battle of Hastings, and the events which followed it, not only placed a Duke of Normandy on the English throne, but gave up the whole population of England to the tyranny of the Norman race. The subjugation of a nation by a nation has seldom, even in Asia, been more complete. The country was portioned out among the captains of the invaders. Strong military institutions, closely connected with the institutions of property, enabled the foreign conquerers to oppress the children of the soil. A cruel penal code, cruelly enforced, guarded the privileges, and even the sports, of the alien tyrants. Yet the subject race, though beaten down and trodden under foot, still made its sting felt.

During the century and a half which followed the Conquest, there is, to speak strictly, no English history. The French Kings of England rose, indeed, to an emi-

nence which was the wonder and dread of all the neighboring nations. They conquered Ireland and Scotland.

Had the Plantagenets, as at one time seemed likely, succeeded in uniting all France under their government, it is probable that England would never have had an independent existence. Her princes, her lords, her prelates, would have been men differing in race and language from the artisans and the tillers of the earth.

England owes her escape from such calamities to an event which her historians have generally represented as disastrous. Her interest was so directly opposed to the interests of her rulers that she had no hope but in their errors and misfortune. The talents and even the virtues of her first six French Kings were a curse to her. The follies and vices of the seventh were her salvation. Had John inherited the great qualities of his father, and had the King of France at the same time been as incapable as all the other successors of Hugh Capet had been, the House of Plantagenet must have risen to unrivalled ascendency in Europe. But, just at this conjuncture, France, for the first time since the death of Charlemagne, was governed by a prince of great firmness and ability. On the other hand England, which, since the battle of Hastings, had been ruled generally by wise statesmen, always by brave soldiers, fell under the dominion of a trifler and a coward. From that moment her prospects brightened. John was driven from Normandy. The Norman nobles were compelled to make their election between the island and the continent. Shut up by the sea with the people whom they had hitherto oppressed and despised, they gradually came to regard England as their country, and the English as their countrymen. The two races, so long hostile, soon found that they had common interests and common

enemies. The great-grandsons of those who had fought under William and the great-grandsons of those who had fought under Harold began to draw near to each other in friendship; and the first pledge of their reconciliation was the Great Charter, won by their united exertions and framed for their common benefit.

In the time of Richard the First, the ordinary imprecation of a Norman gentlemen was "May I become an Englishman!" His ordinary form of indignant denial was "Do you take me for an Englishman?" The descendant of such a gentleman a hundred years later was proud of the English name.

Early in the fourteenth century the amalgamation of the races was all but complete; and it was soon made manifest, by signs not to be mistaken, that a people inferior to none existing in the world had been formed by the mixture of three branches of the great Teutonic family with each other, and with the aboriginal Britons.

The mediaeval English monarchy attempted to conquer France in the Hundred Years' War, which ended about 1450. The war led to the end of the ancient monarchy, for the warlike nobles, on being expelled from France, burst out into the War of the Roses. This civil war did not really terminate until 1485, when Henry VII., the first Tudor sovereign, became king.

In the Middle Ages, the English Parliament had come into existence and developed. In some parts of Europe the representative assembly consisted of three or even four

bodies, or "estates." Thus in France there were the three estates of nobles, clergy, and commons. In England, however, there were only two—the House of Lords, which included peers and bishops, and the House of Commons, which included all the representatives elected by vote. At certain times in the Middle Ages, the English Parliament exerted a considerable influence on affairs.

Its power came to an end on the accession of Henry VII, or, rather, had come to an end before. This was due to the fact that in the Middle Ages the House of Lords was the stronger body of the two. In the War of the Roses, however, the English peerage was ruined, and new nobles, appointed by the Tudor kings and controlled by them, replaced the old barons. The result was that Parliament during the long reigns of Henry VII., Henry VIII. and Elizabeth was completely under the influence of the sovereign. The important point, however, is that Parliament continued to exist and to function, even if it did nothing more than register the ruler's will; it was not abolished as was the French States General in 1614.

England under the Tudor kings was a despotism as absolute as any in Europe. This is evident from the fact that Henry VIII. was able to separate the Church of England from

the Roman See and yet maintain the old religion without further change. It was Catholicism without a Pope, or, rather, with Henry VIII. as a local Pope. However, there were two strong bodies of dissenters in England—Roman Catholics and Protestants—and under the pressure from Catholic Spain England tended more and more toward Protestantism in Elizabeth's reign, until it gradually changed from the religion imposed by Henry VIII.

In the last years of Elizabeth's reign there was a strong feeling of dissatisfaction in England with the government. Parliament was beginning to become powerful again, and in a different way. In the sixteenth century English commerce made great strides; the members elected to the House of Commons from the towns were no longer the cringing creatures of the time of Henry VIII., eager to do anything the monarch ordered. The town representatives united with the country gentlemen in the House of Commons to make that body the more important house of Parliament. Indeed, after this, the history of Parliament was to be that of the House of Commons.

On the death of Elizabeth, a Scotchman came to the throne of England, a ruler who had been practically absolute in his original

kingdom. James I. had a dislike for the English Parliament and a taste for absolute monarchy. At the same time he lacked the tact and personal popularity that had made the Tudor monarchs so strong; they were absolute, in a way, with the consent of the people. James I. was not. He was a new type of sovereign in England and anything but beloved by his subjects; in fact, he seems to be one of the very few kings of England that have excited contempt.

James I. brought into being a kind of government new in England, that of favorites. He was a passionate admirer of handsome men, and all through his reign some good-looking profligate wielded the chief power.

James I. did not convene Parliament often, as he wished to be absolute, but he took no definite steps in the direction of absolutism. Perhaps his indolent and cowardly nature kept him from dethroning himself and left his son to be overthrown in the effort to assert the divine right of kings.

In the Europe of the seventeenth century, this doctrine of the divine right of kings was very strong. Nearly everywhere kings or princes had put down popular rights and established absolute governments. The case of France, the largest and strongest country of Europe, stood as an example, for in France

Louis XIII. had been made absolute by the genius of Richelieu. Charles I. had this example before his mind; moreover he married a French princess. It is not to be wondered at, then, that he should attempt to turn the ancient English monarchy, which under the Tudors had been an absolutism, though with a Parliament, into an absolutism without a Parliament, after the French model. The House of Commons, however, had become a power in the land; and the English people understood perfectly well what Charles I. wished to accomplish. From 1629 to 1640 he summoned no Parliament and thus advertised his intention to govern alone. He would never have called a Parliament again but for the fact that, in his zeal to be an absolute monarch, he attempted to overthrow the Presbyterian church in Scotland, an act that no one but a potential madman would have attempted. The Scots rebelled, and the king was obliged to call a Parliament in England in order to get money to raise an army to subdue them. And so the stage was set for a struggle between king and Parliament.

Macaulay thus describes it:

The government had long wished to extend the Anglican system over the whole island, and had already, with this view, made several changes highly distasteful to every Presbyterian. One innovation,

however, the most hazardous of all, because it was directly cognisable by the senses of the common people, had not yet been attempted. The public worship of God was still conducted in the manner acceptable to the nation. Now, however, Charles and Laud determined to force on the Scots the English liturgy, or rather a liturgy which, wherever it differed from that of England, differed, in the judgment of all rigid Protestants, for the worse.

To this step, taken in the mere wantonness of tyranny, and in criminal ignorance or more criminal contempt of public feeling, our country owes her freedom. The first performance of the foreign ceremonies produced a riot. The riot rapidly became a revolution. Ambition, patriotism, fanaticism, were mingled in one headlong torrent. The whole nation was in arms. The power of England was indeed, as appeared some years later, sufficient to coerce Scotland: but a large part of the English people sympathised with the religious feelings of the insurgents; and many Englishmen who had no scruple about antiphonies and genuflexions, altars and surplices, saw with pleasure the progress of a rebellion which seemed likely to confound the arbitrary projects of the court, and to make the calling of a Parliament necessary.

In November, 1640, met that renowned Parliament which, in spite of many errors and disasters, is justly entitled to the reverence and gratitude of all who, in any part of the world, enjoy the blessings of constitutional government.

The House of Commons brought to the block the king's chief agent, Thomas Wentworth, Earl of Strafford. It thus showed that a subordinate could not plead the royal

pleasure for illegal methods of government. Macaulay continues:

But under their apparent concord a great schism was latent; and when, in October, 1641, the Parliament reassembled after a short recess, two hostile parties, essentially the same with those which, under different names, have ever since contended, and are still contending, for the direction of public affairs, appeared confronting each other. During some years they were designated as Cavaliers and Roundheads. They were subsequently called Tories and Whigs.

When the rival parties first appeared in a distant form, they seemed to be not unequally matched. On the side of the government was a large majority of the nobles, and of those opulent and well descended gentlemen to whom nothing was wanting of nobility but the name. These, with the dependents whose support they could command, were no small power in the state.

The main strength of the opposition lay among the small freeholders in the country, and among the merchants and shopkeepers of the towns. But these were headed by a formidable minority of the aristocracy. In the same ranks was found the whole body of Protestant Nonconformists, and most of these members of the Established Church who still adhered to the Calvinistic opinions which, forty years before, had been generally held by the prelates and clergy.

The truth seems to be that Charles I. detested both the parties into which the House of Commons was divided; nor is this strange, for in both those parties the love of liberty and the love of order were mingled, though in different proportions.

He, accordingly, a few days after he had promised the chiefs of the constitutional Royalists that no step

of importance should be taken without their knowledge, formed a resolution the most momentous of his whole life, carefully concealed that resolution from them, and executed it in a manner which overwhelmed them with shame and dismay. He sent the Attorney General to impeach Pym, Hollis, Hampden, and other members of the House of Commons of high treason at the bar of the House of Lords. Not content with this flagrant violation of the Great Charter and of the uninterrupted practice of centuries, he went in person, accompanied by armed men, to seize the leaders of the opposition within the walls of Parliament.

The attempt failed. The accused members had left the House a short time before Charles entered it. A sudden and violent revulsion of feeling, both in the Parliament and in the country, followed. The most favourable view that has ever been taken of the King's conduct on this occasion by his most partial advocates is that he had weakly suffered himself to be hurried into a gross indiscretion by the evil counsels of his wife and of his courtiers. . . . Those who had the chief sway in the Lower House now felt that not only their power and popularity, but their lands and their necks, were staked on the event of the struggle in which they were engaged. The flagging zeal of the party opposed to the court revived in an instant. During the night which followed the outrage the whole city of London was in arms. In a few hours the roads leading to the capital were covered with multitudes of yeomen spurring hard to Westminster with the badges of the parliamentary cause in their hats. Had Charles remained much longer in his stormy capital, it is probable that the Commons would have found a plea for making him, under outward forms of respect, a state prisoner.

He quitted London, never to return till the day of a terrible and memorable reckoning had arrived.

In August, 1642, the sword was at length drawn; and soon, in almost every shire of the kingdom, two hostile factions appeared in arms against each other. It is not easy to say which of the contending parties was at first the more formidable. The Houses commanded London and the counties round London, the fleet, the navigation of the Thames, and most of the large towns and seaports. They had at their disposal almost all the military stores of the kingdom, and were able to raise duties, both on goods imported from foreign countries, and on some important products of domestic industry. The King was ill provided with artillery and ammunition. The taxes which he laid on the rural districts occupied by his troops produced, it is probable, a sum far less than that which the Parliament drew from the city of London alone. Charles, however, had one advantage, which, if he had used it well, would have more than compensated for the want of stores and money, and which, notwithstanding his mismanagement, gave him, during some months, a superiority in the war. His troops at first fought much better than those of the Parliament. Both armies, it is true, were almost entirely composed of men who had never seen a field of battle. Nevertheless, the difference was great. The Parliamentary ranks were filled with hirelings whom want and idleness had induced to enlist. The royal army, on the other hand, consisted in great part of gentlemen, high spirited, ardent, accustomed to consider dishonor as more terrible than death, accustomed to fencing, to the use of fire arms, to bold riding, and to manly and perilous sport, which had been well called the image of war.

When the war had lasted a year, the advantage was decidedly with the Royalists. They were victorious, both in the western and in the northern counties. In succeeding years, however, the tide turned, mainly

through the genius of Oliver Cromwell. This Parliamentary general won the victories of Marston Moor and Naseby, which broke the king's power. Cromwell found himself the strongest man in England and yet dependent on the good will of the army. His problem was to bring about peace and restore constitutional government in England.

Cromwell at one time, meant to mediate between the throne and the Parliament, and to reorganize the distracted State by the power of the sword, under the sanction of the royal name. In this design he persisted till he was compelled to abandon it by the refractory temper of the soldiers, and by the incurable duplicity of the King. . . . The vices of Charles had grown upon him. Charles was not only a most unscrupulous but a most unlucky dissembler. There never was a politician to whom so many frauds and falsehoods were brought home by undeniable evidence. Never was he more unfortunate than when he attempted at once to cajole and to undermine Cromwell.

Cromwell had to determine whether he would put to hazard the attachment of his party, the attachment of his army, his own greatness, nay his own life, in an attempt which would probably have been vain, to save a prince whom no engagement could bind. With many struggles and misgivings, and probably not without many prayers, the decision was made. Charles was left to his fate. The Commons passed a vote tending to accommodation with the King. The soldiers excluded the majority by force. The Lords unanimously rejected the proposition that the King should be brought to trial. Their house was instantly closed. No court, known to the law, would take on itself the office of judging the fountain of justice. A revolutionary tribunal was created. That tribunal pronounced Charles a tyrant, a traitor, a murderer, and a public

enemy; and his head was severed from his shoulders, before thousands of spectators, in front of the banqueting hall of his own palace.

In no time it became manifest that those political and religious zealots, to whom this deed is to be ascribed, had committed, not only a crime, but an error.

His long misgovernment, his innumerable perfidies, were forgotten. His memory was, in the minds of the great majority of his subjects, associated with those free institutions which he had, during many years, laboured to destroy: for those free institutions had perished with him, and, amidst the mournful silence of a community kept down by arms, had been defended by his voice alone. From that day began a reaction which never ceased till the throne had again been set up in all its old dignity.

The object of the warlike saints who surrounded Cromwell was the settlement of a free and pious commonwealth. For that end they were ready to employ, without scruple any means, however violent and lawless. It was not impossible, therefore, to establish by their aid a dictatorship such as no King had ever exercised: but it was probable that their aid would be at once withdrawn from a ruler who, even under strict constitutional restraints, should venture to assume the kingly name and dignity.

The sentiments of Cromwell were widely different. He was not what he had been; nor would it be just to consider the change which his views had undergone as the effect merely of selfish ambition. He had, when he came up to the Long Parliament, brought with him from his rural retreat little knowledge of books, no experience of great affairs, and a temper galled by the long tyranny of the government and of the hierarchy. He had, during the thirteen years which followed, gone

through a political education of no common kind. . . . He therefore wished to restore, in all essentials, that ancient constitution which the majority of the people had always loved, and for which they now pined. The course afterwards taken by Monk was not open to Cromwell. The memory of one terrible day separated the great regicide forever from the House of Stuart. What remained was that he should mount the ancient English throne, and reign according to the ancient English polity. If he could effect this, he might hope that the wounds of the lacerated state would heal fast.

That his elevation to power might not seem to be merely his own act, he convoked a council, composed partly of persons on whose support he could depend, and partly of persons whose opposition he might safely defy. This assembly, which he called a Parliament, and which the populace nicknamed, from one of the most conspicuous members, Barebones's Parliament, after exposing itself during a short time to the public contempt, surrendered back to the general the powers which it had received from him, and left him at liberty to frame a plan of government.

His plan bore, from the first, a considerable resemblance to the old English constitution: but, in a few years, he thought it safe to proceed further, and to restore almost every part of the ancient system under new names and forms. The title of King was not revived; but the kingly prerogatives were intrusted to a Lord High Protector.

While he lived his power stood firm, an object of mingled aversion, admiration, and dread to his subjects. Few indeed loved his government; but those who hated it most hated it less than they feared it.

It has often been affirmed, but with little reason, that Oliver died at a time fortunate for his renown, and that, if his life had been prolonged, it would prob-

ably have closed amidst disgraces and disasters. It is certain that he was to the last honoured by his soldiers, obeyed by the whole population of the British Islands, and dreaded by all foreign powers.

During five months, the administration of Richard Cromwell went on so tranquilly and regularly that all Europe believed him to be firmly established on the chair of state. In truth his situation was in some respects much more advantageous than that of his father. The young man had made no enemy. His hands were unstained by civil blood.

For a time it seemed highly probable that he would, under the direction of able advisers, effect what his father had attempted in vain. A Parliament was called, and the writs were directed after the old fashion.

But there was in the state a power more than sufficient to deal with Protector and Parliament together. Over the soldiers Richard had no authority except that which he derived from the great name which he had inherited. He had never led them to victory. He had never even borne arms. All his tastes and habits were pacific. Nor were his opinions and feelings on religious subjects approved by the military saints.

On the very day of Richard's accession the officers began to conspire against their new master. The good understanding which existed between him and his Parliament hastened the crisis. Alarm and resentment spread through the camp. Both the religious and the professional feelings of the army were deeply wounded. A coalition was formed between the military malcontents and the republican minority of the House of Commons. He fell ingloriously, and without a struggle. He was used by the army as an instrument for the purpose of dissolving the Parliament, and was then contemptuously thrown aside.

The soldiers called the remnant of the Long Parliament and then expelled it. Anarchy seemed near at hand. At this juncture a Scotch army of seven thousand soldiers, under George Monk, its leader, commenced a march on London from Scotland.

The declaration of Monk when he reached London that he favored the restoration of the Stuart dynasty removed all apprehension, and Macaulay thus describes the delight produced by the contemplated restoration to sovereignty of the despicable Charles II.:

During a short time the dissimulation or irresolution of Monk kept all parties in a state of painful suspense. At length he broke silence, and declared for a free Parliament.

As soon as his declaration was known, the whole nation was wild with delight. Wherever he appeared thousands thronged round him, shouting and blessing his name. The bells of all England rang joyously: the gutters ran with ale; and, night after night, the sky five miles round London was reddened by innumerable bonfires.

The result of the elections was much as might have been expected from the temper of the nation. The new House of Commons consisted, with few exceptions, of persons friendly to the royal family.

The new Parliament, which, having been called without the royal writ, is more accurately described as a Convention, met at Westminster. The Lords repaired to the hall, from which they had, during more than eleven years, been excluded by force. Both

Houses instantly invited the King to return to his country. He was proclaimed with pomp never before known. A gallant fleet convoyed him from Holland to the coast of Kent. When he landed, the cliffs of Dover were covered by thousands of gazers, among whom scarcely one could be found who was not weeping with delight. The journey to London was a continued triumph. The whole road from Rochester was bordered by booths and tents, and looked like an interminable fair. Everywhere flags were flying, bells and music sounding, wine and ale flowing in rivers to the health of him whose return was the return of peace, of law, and of freedom.

That the Puritan Revolution ended in the restoration of the Stuarts is one of the saddest reversions in human history. Yet one can see the reasons for it. The English were essentially conservative; the educated classes were devoted to the ancient constitution of king and Parliament. Cromwell might have restored the monarchy in his person, but the army would not permit it. No alternative really remained but the establishment of the eldest son of Charles I. on the throne, which came to pass in 1660. There was to be another period of Stuart levity and tyranny, and another protest, but no new war of king and Parliament. Kings had at least learned to respect the prerogatives of the House of Commons. Parliament was to be underminded, not defied.

It is difficult to understand the passion for royalty displayed by the English nation in the seventeenth century, a passion that led to the toleration on the throne of the vilest of men provided they had a hereditary claim to it. All four of the Stuart kings were detestable and two of them wholly false and perfidious. What a picture they make of seventeenth century folly: James I., slobbering, shambling, weeping at the sight of a naked sword, governed by the infamous Duke of Buckingham because of his personal pulchritude; Charles I., dominated by his intriguing wife and by the Earl of Strafford and Laud, Archbishop of Canterbury, two bad men who met a proper fate on the scaffold; Charles II., who bartered away the liberty of England to obtain French money to pamper his concubines and debauch Parliament; James II., who sought to overthrow the religion of England and linked his name with the immortal infamy of Justice Jeffries, his instrument for murdering his enemies!

From 1660 to 1685 the history of England is a story of darkness in which there are some gleams of light. Parliament was for years subservient to Charles II.; it was almost as if there never had been a revolution. But Parliament continued to sit; it was not suspended as in the reign of Charles I., and at

length it asserted itself. It began to come into opposition to the king, though not openly. The next great political struggle in English history centered in the effort to keep the king's brother from the throne.

James, Duke of York, was openly a Catholic, as Charles II. was in secret. The great majority of Englishmen were strongly Protestant. The majority of them belonged to the Church of England, which persecuted the large minority of dissenters. Anglicans and dissenters, however, had one thing in common, and that was hatred of Popery. When, therefore, it became evident that Charles II. was nearing the end of his life and that the crown would descend to his brother James, the forces of opposition gathered to prevent this. A popular demand arose for a "Protestant Succession." The opponents of the Duke of York gained a majority in the House of Commons; and, when there came a great public scare in the famous Popish Plot, which the people believed was an effort to subvert the Protestant religion, these opponents persecuted the Catholics and almost passed a bill through Parliament changing the succession to the crown. Their purpose was to put on the throne the Duke of Monmouth, an illegitimate son of the king. Many of the aristocracy balked, however, at the idea of so

elevating a bastard, and the movement failed. Charles II. took a cruel revenge on his brother's enemies, and the Duke of York became James II. in 1685.

James was mad enough to defy the power that really controlled England, which had become an aristocracy in which the king's place was the head. When the king struck at an integral part of that aristocracy, the bishops of the Church of England, the strongest section of the aristocracy resolved to be rid of him.

There was to be no radical revolution, however. The ruling class in England dreaded beyond words the memory of the Puritan Revolution and the reign of the army under Cromwell; their intention was to overthrow the individual, James II., but to keep monarchy and the Stuart family. James's elder daughter, Mary, had married William, Prince of Orange. William and Mary were now invited to come over from Holland and occupy the English throne. William came with a small force of troops, but the lords opposed to James II. were so powerful that there was no need of fighting. James fled to Ireland, and William III. and Mary ruled in England.

This revolution would have been almost bloodless if Louis XIV., king of France, had not taken up the cause of James II. As it

was, a long war followed in which the English found it necessary to reconquer Ireland, which had broken away. Protestantism was completely triumphant; the Catholics were a crushed faction, both in England and Ireland.

On the death of William III., the second daughter of James II., Anne, became queen. The principal issue in English politics was now dynastic, between the supporters of the Stuart family, who wished to put on the throne the son of James II., an exile like his father, and the majority of the aristocracy, who wished a Protestant ruler. When Queen Anne died in 1714, she was succeeded by a descendant of James I., the son of the Electress of Hanover, who became George I. George was a German, unable to speak English, but he represented the principle of hereditary descent and he suited well the purposes of the ruling faction in England, which did not wish a Stuart and a Catholic to mount the throne.

As George I. was a foreigner and had no strong personal supporters, he was driven to depend on Parliament, which wielded large powers until nearly the third quarter of the eighteenth century. It was not such a Parliament as sits in England today, however. Its membership was practically re-

stricted to the Church of England; it was elected by owners of real estate, who at that time formed a small minority, and representation was neither by population nor by the number of voters; certain places elected members of the House of Commons because they had done so in the Middle Ages and little or no provision was made for the changes wrought by centuries. The result was that in some towns that had decayed a handful of voters—sometimes ten or fifteen—elected a member, while cities which had grown up in more recent times were unrepresented. In other words, England theoretically had a representative government, but that government was not in the least degree representative of the masses of the nation. They had no more power than the people of the continent of Europe. The people who were really represented in the House of Commons were the rural gentry, the farmers who owned farms, and the merchants in the towns. The merchants were gaining power all through the eighteenth century because the business of England was increasing by leaps and bounds, and thus we see the rise to power of a class that was to challenge the ruling aristocracy and at length to overthrow it.

In one respect this period of Queen Anne and the first two Georges was important in the history of freedom, for it witnessed the rise of party government. Whigs and Tories battled for the supremacy, and the chiefs of the triumphant party became the king's ministers. Through most of the period the Whigs were predominant; the most illustrious politician of the period was William Pitt, prime minister under George II.

In the middle of the eighteenth century came a king who wished more power than George I. and George II. had wielded; this was George III., who mounted the throne in 1760. It was his ambition to make himself, if not the absolute ruler of England, at least the dominating power. The historian May thus describes his effort to gain control of the government:

> The young king, George III, on succeeding to the throne, regarded with settled jealously the power of his ministers, as an encroachment on his own, and resolved to break it down. His personal popularity was such as to facilitate the execution of this design. Well knowing that the foreign extraction of his predecessors had repressed the affections of their people, he added, with his own hand, to the draft of his first speech to Parliament, the winning phrase, "Born and educated in this country, I glory in the name of Briton." The Stuarts were now the aliens, and not the Hanoverian king. No party was now in disgrace at court; but

Whigs, Tories, and Jacobites thronged to St. James's, and vied with each other in demonstrations of loyalty and devotion.

The king was naturally ambitious, and fond of the active exercise of power; and his education, if otherwise neglected, had raised his estimate of the personal rights of a king, in the government of his country. So far back as 1752, complaints had been made that the prince was surrounded by preceptors who were training him in arbitrary principles of government. At that time these complaints were discredited as factious calumnies; but the political views of the king, on his accession to the throne, appeared to confirm the suspicions entertained concerning his early education.

The ministry whom the king found in possession of power at his accession, had been formed by a coalition between the Duke of Newcastle and William Pitt. The former had long been the acknowledged leader of the great Whig connection, and enjoyed extended parliamentary interest: the latter, by his eloquence and statesmanship, had become the most popular and powerful of the king's subjects. The ministry also comprised the Grenville and Bedford sections of the Whig party. It was so strong in Parliament that for some years the voice of opposition had been scarcely heard; and so long as it continued united, its position was impregnable.

But, strong as were the ministers, the king was resolved to wrest all power from their hands, and to exercise it himself. For this purpose he called to his aid the Earl of Bute, and other secret counsellors, drawn from all parties. It was the king's object not merely to supplant one party, and establish another in its place; but to create a new party, faithful to himself, regarding his personal wishes, carrying out his policy,

and dependent on his will. This party was soon distinguished as "the king's men," or "the king's friends."

Lord Bute, the originator of the new policy, was not personally well qualified for its successful promotion. He was not connected with the great families who had acquired a preponderance of political influence; he was no parliamentary debater: his manners were unpopular: he was a courtier rather than a politician: his intimate relations with the Princess of Wales were an object of scandal; and, above all, he was a Scotchman. Immediately after the king's accession he had been made a privy councillor, and admitted into the cabinet.

It was now the object of the court to break up the existing ministry, and to replace it with another formed from among the king's friends. Had the ministry been united, and had the chiefs reposed confidence in one another, it would have been difficult to overthrow them. But there were already jealousies amongst them, which the court lost no opportunity of fomenting. A breach soon arose between Mr. Pitt, the most powerful and popular of the ministers, and his colleagues. He bore himself haughtily at the council, declared that he had been called to the ministry by the voice of the people, and that he could not be responsible for measures which he was no longer allowed to guide. Being met with equal loftiness in the cabinet, he was forced to tender his resignation.

The king overpowered the retiring minister with kindness and condescension. He offered the barony of Chatham to his wife, and to himself an annuity of £3000 a year for three lives. The minister had deserved these royal favors, and he accepted them, but at the cost of his popularity. It was an artful stroke of policy, thus at once to conciliate and weaken the

popular statesman, whose opposition was to be dreaded —and it succeeded.

On the retirement of Mr. Pitt, Lord Bute became the most influential of the ministers. He undertook the chief management of public affairs in the cabinet, and the sole direction of the House of Lords. His ascendency provoked the jealousy and resentment of the King's veteran minister, the Duke of Newcastle, who had hitherto distributed all the patronage of the Crown, but now was never consulted. At length, in May 1762, his grace, after frequent disagreements in the cabinet and numerous affronts, was obliged to resign.

And now, the object of the court being at length attained, Lord Bute was immediately placed at the head of affairs, as First Lord of the Treasury. Rapid had been the rise of the king's favorite. But the confidence of his royal master served to aggravate the jealousies by which the new minister was surrounded, to widen the breach between himself and the leaders of the Whig party, and to afford occasion for popular reproaches.

The king and his minister were resolved to carry matters with a high hand, and their arbitrary attempts to coerce and intimidate opponents disclosed their imperious view of the prerogative. Preliminaries of a treaty of peace with France having been agreed upon, against which a strong popular feeling was aroused, the king's vengeance was directed against all who ventured to disapprove them.

The preliminaries of peace were approved by Parliament; and the Princess of Wales, exulting in the success of the court, exclaimed, "Now my son *is* king of England."

The king continued personally to direct the measures of the ministers, more particularly in the disputes with

the American colonies, which, in his opinion, involved the rights and honor of his crown. He was resolutely opposed to the repeal of the Stamp Act, which the ministers had thought necessary for the conciliation of the colonies. He resisted this measure in council; but finding the ministers resolved to carry it, he opposed them in Parliament by the authority of his name, and by his personal influence over a considerable body of his parliamentary adherents.

What was the state of England in 1775, when the American Revolution began? In a certain sense it was a declining state. The great Whig families, which for the most part ruled England from 1689 to 1760, were losing power because the landowner was giving place to the merchant and the manufacturer. England was in transition: agriculture was being dethroned as the economic power by industrialism. As yet, however, traders and manufacturers wielded little political power, no matter how strong they might be economically. George III. took advantage of this period of change to endeavor to assert the royal supremacy and he gained control of the House of Lords and the House of Commons. Yet he could not put the clock back to the seventeenth century; a hundred years of party government had strengthened representative institutions, and the king found his new policy opposed by the Whigs. In other

words, the king, in attempting to put an end to party government, succeeded in making the issue between the party of the "people" and the royal party.

It is interesting to surmise what would have been the result of the conflict if the American Revolution had not occurred. Perhaps the king would have temporarily triumphed; possibly he would have failed and have been obliged to keep from meddling with the government. As it was, however, the unexpected resistance of the American colonists gave the struggle between royal authority and popular rights an international aspect that was destined profoundly to influence the future of the world.

CHAPTER III.

The American Revolution

THUS far had humanity by 1775 come from those distant beginnings in Egypt. Political development had moved onward from the primitive despotisms, in which the monarch was the descendant of the gods, gave the laws by word of mouth, and had power of life and death; past the early city governments of the Mediterranean, ruled by obligarchies or democracies and without a monarch, on to the Roman empire, which was a bureaucracy with the emperor as head; then through the anarchy of the Middle Ages, in which thousands of petty lords ruled Europe. It had witnessed the rise of modern monarchies in Western Europe, at first limited by rude representative institutions but becoming absolute in Spain and France; it had moved rapidly in the struggle between the king and the representative body in England, lasting from James I. to George III.; and at length it had led to the conflict between the representative body itself, controlled by the king, and the colonies across the sea. For to this had political theory progressed, that the

colonists thought they had the right to resist Parliament itself.

Why the struggle that we call the American Revolution? Because England and the English colonies in America had not moved along parallel lines; they had diverged until the moment of conflict between them had arrived.

Virginia was first settled in 1607 and Massachusetts in 1620, when James I. was king of England. At that time there were certain things fixed in the English consciousness that were sometimes known as "the rights of Englishmen," partly descended from the Magna Charta, partly the fruit of the practice of ages. These were, briefly, that Englishmen had the right to jury trial, to *habeas corpus* in case of imprisonment, to a certain vague representation in the passing of tax laws, to immunity in their homes from searches made by soldiers and officers of the law without specific warrants. Such were the ideas of freedom that the colonists brought within them across the briny; but these ideas were not well-defined and were challenged in England by the Stuart kings in such institutions as the arbitrary court known as the Star Chamber, which tried without juries and did not bother with the process of *habeas corpus.*

It was difficult to tell what would be the development in the English colonies. In the Spanish colonies to the south the development was from autocracy to more autocracy; would popular institutions survive in the English colonies or wither? The question was settled in Virginia in the establishment of the assembly in 1619, one of the most important political steps ever taken on earth. This assembly was a miniature Parliament that passed laws and levied taxes for the little colony; its members were elected by the people.

With the Virginia assembly, the principle of representative government was established in America. Each colony as it was organized had such an assembly; the principle became recognized that it was the sole power in the colony capable of levying direct taxes on the people. Taxes on importations were collected by the British government in the ports, and the colonists could not escape from the fact of them, much as they disliked them; but they made a distinction between these "external" taxes, levied by England, and the "internal" taxes, levied by colonial assemblies.

The colonial assemblies, it should be noted, were far more representative that was the English Parliament. In England the mem-

bers of the House of Commons were elected, as the members of the assemblies in the colonies were, by the owners of real estate, but the owners of real estate in the colonies were relatively ten times more numerous than in England. Thus suffrage in England was very limited; in America it was almost manhood suffrage as far as white men were concerned. In other words, nearly every colonist owned his own farm and voted, so that the House of Burgesses in Virginia was representative of the body of the people, while the House of Commons in England was controlled by a few men; because the latter was so controlled, it fell under the influence of George III. The Virginia House of Burgesses came to be one of the greatest representative bodies the world has ever known; within the space of a few years George Washington, Patrick Henry, Thomas Jefferson, George Mason, Richard Henry Lee, James Madison, James Monroe, John Marshall and Daniel Boone sat in it.

Besides the almost universal suffrage in the colonies, there were other influences making for a divergence between England and America. In England the body of the people were overawed by the great nobles, who were also the principal landowners; the body of the people were not only politically and

socially subservient but *economically dependent.* This was not the case in America. It is true that the planters in the colonies made an effort to imitate the English landowners, but they could not reduce the body of small farmers to the position of tenants, for land was too cheap. It was this plentifulness of land, wedded to certain primary ideas of the "rights of Englishmen," that brought American liberty into being. Thus the small farmers in the colonies, owning their own land and voting in elections, were on an entirely different plane of existence from the tenant farmers in England, at the landlord's mercy and having no voice in public affairs. On the frontier, where there were no planters, the settlers were much more democratic than were the farmers on the coast; the frontiersmen supported the American cause with peculiar warmth in the struggle with the British government.

A definite feeling of "American freedom" had grown up in the colonies by the middle of the eighteenth century. When, therefore, the king of England conceived the idea of extending the sphere of British taxation in America from the duties collected in the ports, there was resistance. In the first place, the duties levied by the British customs officers in American ports were largely nomi-

nal, for the colonials had become a race of smugglers and the officials winked at the offense. The British government now insisted on a strict enforcement of the laws, which produced intense discontent in New England. In addition, Parliament greatly extended the sphere of taxation by passing the ever-memorable Stamp Act of 1765, which made newspapers and legal documents bear stamps.

For the moment the colonials were nonplussed. Attached to England by all the ties of sentiment, they hesitated to inaugurate a conflict the end of which no man could see. However, the firebrand Patrick Henry rose in the Virginia House of Burgesses in the session of May, 1765, and, by branding the Stamp Act as tyranny in one of the greatest speeches ever delivered on earth, gave the Americans their key-note. For a decade every new assertion of authority by the British Parliament met with the resistance of the colonials, until political resistance ended in war.

The British government was unmoved by the addresses and petitions of the colonials, which were designed to bring it to reason. It continued its efforts to tax the colonies, abandoning, however, its policy of "internal" taxation, as in the case of the Stamp Act, and

resorting to new import duties—on glass, lead, tea and some other articles. The colonials, thoroughly resentful of every move of the government toward taxation, refused to pay these new duties. The resistance centered at Boston, which, by way of punishment, was closed as a port by the British government.

The other colonies immediately took steps to show their sympathy with the Bostonians. On May 24, 1774, the Virginia House of Burgesses at Williamsburg adopted the following resolution prepared by Thomas Jefferson:

> This House, being deeply impressed with apprehension of the great dangers to be derived to British America, from the hostile invasion of the city of Boston, in our Sister Colony of Massachusetts bay, whose commerce and harbour are, on the first day of June next, to be stopped by an armed force—deem it highly necessary that the said first day of June be set apart, by the Members of this House, as a day of Fasting, Humiliation, and Prayer, devoutly to implore the divine interposition, for averting the heavy Calamity which threatens destruction to our Civil Rights, and the Evils of civil war; to give us one heart and one mind firmly to oppose, by all just and proper means, every injury to American Rights; and that the Minds of his Majesty and his Parliament, may be inspired from above with Wisdom, Moderation, and Justice, to remove from the loyal people of America all cause of

danger, from a continued pursuit of Measures, pregnant with their ruin.

It is thus evident that the American Revolution, in its inception, was a conservative protest against the radical measures of Parliament in attempting to tax colonies that for generations had taxed themselves. It was not marked by any outburst against authority and was notable for the strong religious feeling displayed.

As a matter of fact, when the Revolution actually began in 1775 and the British officials were deposed from their offices in the colonies, the Virginia House of Burgesses resolved itself into a convention and governed the colony, thus reducing change to the minimum. The American colonists, in their revolt against England, were not animated by social or political discontent: all they asked was to be let alone to enjoy the liberty that had grown up in the wilds across the sea from Europe, and it was with great reluctance that they took up arms.

The military struggle began in April, 1775, when the British troops, marching out of Boston to destroy colonial military stores at Concord, fired on a body of militiamen at Lexington and were, in turn, driven back from Concord to Boston by the enraged farmers. A Congress of the colonies had met in

1774 and a second came together in Philadelphia in 1775. This Continental Congress, composed of delegates of only advisory powers, now became the government that directed the war. Woodrow Wilson, in his *George Washington,* gives a striking account of the election of Washington to the command of the colonial army:

On the 10th of May, 1775, the second Continental Congress met in Philadelphia. . . . Active war had begun; an army was set down before Boston—a rude army that had grown to be 16,000 strong within the first week of its rally; the country was united in a general resistance and looked to the Congress to give it organization and guidance. . . . The irregular army swarming before Boston was without standing or government. It had run hastily together out of four colonies; was subject to no common authority; hardly knew what allegiance it bore; might fall to pieces unless it were adequately commanded. The Congress in Philadelphia was called upon to recognize and adopt it, give it leave and authority to act for all the colonies, give it a commander and summon the whole country to recruit it. There was an obvious political necessity that the thing should be done and done promptly. Massachusetts did not stand alone; New England wanted the active assistance of the other colonies; something must be attempted to secure common action. The first thing to do was to choose an acceptable and efficient leader and to chose him outside of New England. To John Adams the choice seemed simple enough. There was no soldier in America, outside New England—nor inside either—to be compared, whether in experience or distinction,

with Washington, the gallant, straightforward, earnest Virginian he had learned so to esteem and trust there in Philadelphia. He accordingly moved that Congress "adopt the army at Cambridge," and declared that he had "but one gentleman in mind" for its command—"a gentleman from Virginia, who was among us," he said, "and very well known to all of us; a gentleman whose skill and experience as an officer, whose independent fortune, great talents, and excellent universal character, would command the approbation of all America, and unite the cordial exertions of all the colonies better than any other person in the union." Washington, taken unawares, rose and slipped in confusion from the room. Some of his own friends doubted the expediency of putting a Virginian at the head of a New England army, but the more clear-sighted among the New Englanders did not, and the selection was made, after a little hesitation, unanimously.

The selection of Washington to command the colonial army was one of those happy events that may only be called providential. It is hardly possible that the American cause could have triumphed without him. If another general had been chosen, he must have been either a colonial without experience and without prestige or a military adventurer such as Gates or Charles Lee, without balance and without principle.

The Americans of that day were distinctly in advance of the Europeans in the liberty they enjoyed and the theories of liberty they

believed in. But they had thirteen separate governments, not one, and small military experience and few military resources. They were called on to face the leading military power in the world and the ruler of the seas. It is evident, then, that the Americans must have lost if they had not enjoyed certain compensations that outweighed the disadvantages. The first of these was the divided state of the public mind in England. While the public mind in the colonies was also divided, many persons siding with the British government in the conflict, it was not so badly divided as in England. There the body of the Whig party was strongly opposed to the taxing measures of the government and to the coercion of the colonies. The great Charles James Fox, the leader of the Whigs in Parliament, was outspoken in his condemnation of the government, as was William Pitt, Earl of Chatham, himself in the early stages of the war.

In 1776, the Continental Congress, on the motion of Richard Henry Lee, of Virginia, drafted a Declaration of Independence, which was passed on the fourth of July. This was a radical step and one not contemplated the year before. It was the judgment of the colonials, however, that the colonies could never again enjoy peace and happiness under the

British government, that the hour had come for separation. This act temporarily injured the American cause; it alienated most of the Whigs in England and the great Chatham himself, and drove many colonials who had hitherto sided with the colonies over to the British camp. Military disaster came at the same time. Washington, in attempting to defend New York against a British fleet and army, was defeated at Long Island and forced to retreat across New Jersey. It was the darkest hour of the whole long struggle. With his army melting away, Washington fell back behind the Delaware River in December, 1776. A lesser man would have given up the struggle or have struggled futilely. Washington made opportunity out of despair; crossing the Delaware, he won the brilliant victories of Trenton and Princeton and restored the failing courage of the colonials.

He later suffered defeats, but he retrieved them by his steadiness and valor. At Valley Forge his army starved a whole winter long because the Continental Congress had so little power that it could not compel the states to feed the troops, but in the following spring Washington took the field again. Then came the French alliance in 1778, the evacuation of Philadelphia by the British, and

the brightening of American prospects. These, however, were again clouded by British successes in the South, where it seemed in 1780 and 1781 that the patriot cause must fail. In this new crisis Washington once more rose to the occasion. By a daring feat of strategy, he dropped down with his army from New York to the Virginia Capes, met there the French fleet from the West Indies, and cooped up and forced to surrender the British field army in the South. This brilliant victory won the war. Peace came in 1783, and the Americans were masters of their destiny.

CHAPTER IV.

The American Constitution

AT the close of the Revolution, the defects in the government of the United States soon became apparent. The existing constitution of the United States was known as the Articles of Confederation. It was but a loose legislative league without an executive, and for most practical purposes the states were separate republics. The Continental Congress had no power to levy taxes; it depended on the charity of the states, which began a tariff war with each other.

Madison thus describes the infirmities of the Articles of Confederation:

But the radical infirmity of the "Articles of Confederation" was the dependence of Congress on the voluntary and simultaneous compliance with its requisitions by so many independent communities, each consulting more or less its particular interests and convenience, and distrusting the compliance of the others. Whilst the paper emissions of Congress continued to circulate, they were employed as a sinew of war, like gold and silver. When that ceased to be the case, and the fatal defect of the political system was felt in its alarming force, the war was merely kept alive and

brought to a successful conclusion, by such foreign aids and temporary expedients as could be applied; a hope prevailing with many, and a wish with all, that a state of peace, and the sources of prosperity opened by it, would give to the Confederacy, in practice, the efficiency which had been inferred from its theory.

The close of the war, however, brought no cure for the public embarrassments. The States, relieved from the pressure of foreign danger, and flushed with the enjoyment of independent and sovereign power, instead of a diminished disposition to part with it, persevered in omissions and in measures incompatible with their relations to the Federal Government, and with those among themselves.

The league seemed about to go to pieces. After all that the Americans had suffered in the Revolution for the cause of liberty, after Washington's heroic leadership, the Revolution appeared to be a failure. It was so regarded in Europe.

James Madison states that the Virginia legislature was induced to issue a call to the states to appoint deputies to meet to consider the critical condition of the United States financially and commercially. The convention thus called by Virginia met at Annapolis in Maryland with only five states represented. Maryland was not among these.

Virginia's delegates were Madison, Edmund Randolph, and St. George Tucker. The convention convened on September 11, 1786.

New York was represented by Alexander Hamilton, who by agreement drew up an appeal urging a meeting of representatives from all the states at Philadelphia on the second Monday in May, 1787, to take such measures as they might deem wise in the existing emergency.

The legislature of Virginia was the first to approve this action taken at Annapolis. Madison says:

> The Legislature were unanimous, or very nearly so, on the occasion. As a proof of the magnitude and solemnity attached to it, they placed General Washington at the head of the deputation from the State; and as a proof of the deep interest he felt in the case, he overstepped the obstacles to his acceptance of the appointment.

Madison drew the act endorsing the proposed plan, which on December 4, 1786, was adopted.

Madison further says:

> As a natural consequence of this distracted and disheartening condition of the Union, the Federal authority had ceased to be respected abroad, and dispositions were shown there, particularly in Great Britain, to take advantage of its imbecility, and to speculate on its approaching downfall. At home it had lost all confidence and credit; the unstable and unjust career of the States had also forfeited the respect and confidence essential

to order and good government, involving a general decay of confidence and credit between man and man.

When the Constitutional Convention met in Philadelphia on May 25, 1787, to frame a new constitution, there were but seven states represented, as follows:

NEW YORK:
Alexander Hamilton,
Robert Yates.

NEW JERSEY:
William Churchill Houston,
William Patterson.

PENNSYLVANIA:
Robert Morris,
Thomas Fitzsimons,
James Wilson,
Gouverneur Morris.

DELAWARE:
George Read,
Richard Bassett,
Jacob Broom.

VIRGINIA:
George Washington,
Edmund Randolph,
George Wythe,
George Mason,
James Madison,
John Blair,
James M'Clurg.

NORTH CAROLINA:
Alexander Martin,
Wm. Richardson Davie,
Richard Dobbs Spaight,
Hugh Williamson.

SOUTH CAROLINA:
John Rutledge,
Charles Pinckney,
Pierce Butler.
Chas. Cotesworth Pinckney,

A motion by R. Morris, and seconded, that General Washington take the chair—unanimously agreed to.

The Convention met in secret sessions through the summer of 1787. Madison had the greatest share in framing the new instru-

ment of government, though others contributed notably. The government of the United States as it has existed ever since, with President and Vice President, Senate and House of Representatives, emerged from the Convention. The loose league of states already falling to pieces was replaced by a strong confederacy, which, in turn, developed into a genuinely national government.

The Virginia delegates, Edmund Randolph, Richard Henry Lee and George Mason refused to sign the Constitution as it came from the Convention in September, 1787, but Randolph subsequently approved it. The other two and Patrick Henry violently opposed it in the Virginia convention, which endorsed it by only ten majority.

Madison wrote these wise words to Edmund Randolph on January 10, 1788:

> . . . Whatever respect may be due to the rights of private judgment, and no man feels more of it than I do, there can be no doubt that there are subjects to which the capacities of the bulk of mankind are unequal, and on which they must and will be governed by those with whom they happen to have acquaintance and confidence. The proposed Constitution is of this description. The great body of those who are both for and against it must follow the judgment of others, not their own. Had the Constitution been framed and recommended by an obscure individual, instead of a body possessing public respect and confidence, there

cannot be a doubt, that although it would have stood in the identical words, it would have commanded little attention from most of those who now admire its wisdom. Had yourself, Colonel Mason, Colonel R. H. Lee, Mr. Henry, and a few others, seen the Constitution in the same light, with those who subscribed it, I have no doubt that Virginia would have been as zealous and unanimous, as she is now divided, on the subject.

Madison further says after the Convention that framed the Federal Constitution had completed its work and submitted it to the people of each colony:

But whatever may be the judgment pronounced on the competency of the architects of the Constitution, or whatever may be the destiny of the edifice prepared by them, I feel it a duty to express my profound and solemn conviction, derived from my intimate opportunity of observing and appreciating and views of the Convention, collectively and individually, that there never was an assembly of men, charged with a great and arduous trust, who were more pure in their motives, or more exclusively or anxiously devoted to the object committed to them, than were the members of the Federal Convention of 1787, to the object of devising and proposing a constitutional system which should best supply the defects of that which it was to replace, and best secure the permanent liberty and happiness of their country.

A sound government was thus established in the United States. The most critical hour in American history passed without disaster, and the republic prepared to enter on its career as the model and hope of mankind.

CHAPTER V.

Jefferson and the French Revolution

THE new government was an experiment, but it had many things in its favor—the ability and character of Washington, the influence of Christianity, the experience of English institutions. Now, for the first time in history, there was an opportunity for republican government under the best auspices. Unfortunately, however, opposed to the conservative methods instituted by Washington and his great lieutenant, Alexander Hamilton, stood Thomas Jefferson.

Jefferson was a product of Virginia. Although vouchsafed many advantages, he was a malcontent from the first and entered enthusiastically on revolution. He was never satisfied with separation from England—independence; he was the advocate of social revolution as well as political.

Virginia was his first field of action, and here he did away with the connection of church and state, and abolished primogeniture. In full sympathy with the spirit of the age, he became progressively more demo-

cratic. As a war governor in Virginia he failed, and then went as the American representative to France. Here he imbibed much heady revolutionary philosophy and, when the French revolution broke out not long after his return to America, he became an apologist for it.

It was inevitable that Jefferson would come into conflict with Washington's conservative government, though he accepted a place in it. Not only his own radical views but his dislike and jealousy of Hamilton urged him on in the path of opposition. Seizing upon the mistakes of the Federalists with the penetration of genius, he succeeded in overthrowing that party and establishing himself as President of the United States—much more, in establishing his own party and his own philosophy as the ruling party of the country for a long period and as the democratic philosophy of government to which most of us yield allegiance to this day. He was a genius, but his influence was unfortunate, particularly in setting up states' rights against nationalism.

Jefferson was no poor man, driven to radicalism by need. Randall furnishes his land roll for 1794, showing that at that time he owned 10,647 acres of land and 154 slaves. The census of his domestic animals taken the month after his resignation as Secretary of

State comprised 34 horses, eight of them saddle horses, five mules, 249 cattle, 390 hogs, and three sheep.

In the establishment of the government, Hamilton outwitted Jefferson by swapping the location of the capital at Washington for the assumption of the state debts by the national government. Hamilton later acquired an ascendency in Washington's cabinet. Jefferson felt that he had been tricked and, more than tricked—outwitted—in the race for leadership. Woodrow Wilson speaks thus of Washington's cabinet:

> He had chosen Hamilton because he knew his views, Jefferson only because he knew his influence, ability, and experience in affairs. When he did test Jefferson's views he found them less to his liking than he had expected. He had taken Jefferson direct from France, where for five years he had been watching a revolution come on apace, hurried from stage to stage, not by statesmen who were masters in the art and practice of freedom, like those who had presided in the counsels of America, but by demagogues and philosophers rather; and the subtle air of that age of change had crept into the man's thought. He had come back a philosophical radical rather than a statesman. He had yet to learn in the practical air of America, what plain and steady policy must serve him to win hard-headed men to his following; and *Washington found him a guide who needed watching.*

Jefferson was the Secretary of State during the whole of Washington's first term and

a part of his second term. During the same period Alexander Hamilton was Secretary of the Treasury. For some time there was no open rupture between Jefferson and the conservatives. But Jefferson was already accusing some members of the government, especially Vice President Adams, of "aristocracy."

In April, 1791, Washington visited the Southern States. On May 8, 1791, Jefferson wrote as follows to Washington:

> The last week does not furnish one single public event worthy communicating to you; so that I have only to say "all is well," Paine's answer to Burke's pamphlet begins to produce some squibs in our public papers. I am afraid the indiscretion of a printer has committed me with my friend, Mr. Adams, for whom, as one of the most honest and disinterested men alive, I have a cordial esteem, increased by long habits of concurrence in opinion in the days of his republicanism; and even since his apostasy to hereditary monarchy and nobility, though we differ, we differ as friends should do.

On July 17, 1791, Jefferson wrote as follows to John Adams:

> I have a dozen times taken up my pen to write to you, and as often laid it down again, suspended between opposing considerations. I determine, however, to write from a conviction that truth, between candid minds, can never do harm. The first of Paine's pamphlets on the Rights of Man, which came to hand here, belonged to Mr. Beckley. He lent it to Mr. Madison,

who lent it to me; and while I was reading it, Mr. Beckley called on me for it, and, as I had not finished it, he desired me, as soon as I should have done so, to send it to Mr. Jonathan B. Smith, whose brother meant to reprint it. I finished reading it, and, as I had no acquaintance with Mr. Jonathan B. Smith, propriety required that I should explain to him why I, a stranger to him, sent him the pamphlet. I accordingly wrote a note of compliment, informing him that I did it at the desire of Mr. Beckley, and, to take off a little of the dryness of the note, I added that I was glad that it was to be reprinted here, and that something was to be publicly said against the political heresies which had sprung up among us, etc. I thought so little of this note, that I did not even keep a copy of it: nor ever heard a tittle more of it, till, the week following, I was thunderstruck with seeing it come out at the head of the pamphlet. I hoped, however, it would not attract notice. But I found, on my return from a journey of a month, that a writer came forward, under the signature of Publicola, attacking not only the author and principles of the pamphlet, but myself as its sponsor, by name. Soon after came hosts of other writers, defending the pamphlet, and attacking you, by name, as the writer of Publicola. Thus were our names thrown on the public stage as public antagonists. That you and I differ in our ideas of the best form of government, is well known to us both; but we have differed as friends should do, respecting the purity of each other's motives, and confining our difference of opinion to private conversation.

On July 29, 1791, Vice-President Adams answered the above letter in part as follows:

You observe: "that you and I differ in our ideas of the best form of government, is well known to us both." But, my dear, sir, you will give me leave to say that I do not know this. I know not what your idea is of the best form of government. You and I have never had a serious conversation together, that I can recollect, concerning the nature of government. The very transient hints that have ever passed between us have been jocular and superficial, without ever coming to an explanation. If you suppose that I have, or ever had, a design or desire of attempting to introduce a government of King, Lords, and Commons, or in other words, an hereditary Executive, or an hereditary Senate, either into the Government of the United States, or that of any individual State, you are wholly mistaken. There is not such a thought expressed or intimated in any public writing or private letter, and I may safely challenge all mankind to produce such a passage, and quote the chapter and verse. If you have ever put such a construction on anything of mine, I beg you would mention it to me, and I will undertake to convince you that it has no such meaning.

On February 29, 1792, Washington and Jefferson had a conversation in which the latter, for the first time, openly expressed his political views.

Randall, in his Life of Jefferson, says:

General Washington had intentionally selected a cabinet balanced between the earlier friends of popular and strong government. He had done so, hoping they would fuse in principle and act cordially together. He had long since been undeceived by the constant opposition to each other's views of Jefferson and Hamilton in

the Cabinet, and the constantly widening breach between the Republicans and Federalists in Congress. We cannot suppose that the above recorded conversation of February 29th, really gave the President any new insight into the political views of the Secretary of State. But if we were to adopt that hypothesis, it cannot be urged, at least, that thenceforth he did not fully understand them—that he did not understand they were permanent views, and parts of a settled system, and that they cardinally conflicted at nearly every point with those of the Secretary of the Treasury.

By 1792, the French Revolution was in full blast. The United States was profoundly affected, and a party arose in sympathy with the revolutionists.

Jefferson wrote Lafayette on June 16, 1792:

Behold you, then, my dear friend, at the head of a great army establishing the liberties of your country against a foreign enemy. May Heaven favor your cause, and make you the channel through which it may pour its favors! While you are exterminating the monster Aristocracy, and pulling out the teeth and fangs of its associate, Monarchy, a contrary tendency is discovered in some here. A sect has shown itself among us, who declare they espoused our new Constitution only as a step to an English Constitution, the only thing good and sufficient in itself, in their eye. It is happy for us that these are preachers without followers, and that our people are firm and constant in their republican purity. You will wonder to be told that it is from the eastward chiefly that these champions for a King, Lords, and Commons come.

Randall proceeds as follows:

The flames of partisan feeling now burned brightly throughout the whole length and breadth of the United States. There was not probably a neighborhood so remote from the centers of population, so isolated by surrounding wildernesses, that the people were not arrayed, or were not arraying themselves, on the side of the Federalists or Republicans. In the eastern States the former had almost exclusive control—in the southern, the latter. The middle States were the debatable ground. The Federalists, led by the Secretary of the Treasury, had hitherto maintained undisputed ascendency in Congress. The Treasury schemes had continued to receive new "props," and an attempt to prevent this department from assuming the origination of nearly all the improvement and management of the revenue, and for the support of the public credit—had been defeated. Hamilton's influence, supported by the overwhelming popularity of the President's name, was completely paramount in Congress.

In July, 1792, a series of published attacks was commenced on Mr. Jefferson in the Gazette of the United States, the leading Federal paper in Philadelphia. The first was a short article over the signature of T. L., asking whether the editor of the National Gazette (Philip Freneau—Translating Clerk in the office of the Secretary of State) recived a salary for translations, or for publications, "the design of which was to vilify those to whom the voice of the people had committed the administration of our public affairs—to oppose the measures of Government, and, by false insinuations, to disturb the public peace?" The article further remarked, that "in common life it was thought ungrateful for a man to bite the hand that put bread in his mouth; but if the man was hired to do it, the case was altered."

A second article soon after (August 4th) appeared, over the signature of "An American," explicitly charging that "a paper more devoted to the views of a certain party, of which Mr. Jefferson was the head, than any to be found in" Philadelphia, "was wanted"—that "Mr. Freneau was thought a fit instrument"—that a negotiation was opened with him—that he "came here (Philadelphia) at once editor of the National Gazette and clerk for foreign languages in the department of Mr. Jefferson, Secretary of State", that it was a new experiment "in the history of political manoeuvres in this country," to have "a newspaper instituted by a public officer, and the editor of it regularly pensioned with the public money in the disposal of that officer."

A newspaper war followed, Freneau answering the attacks made on him.

After a lull in this storm of invective for a few weeks, the same writer returned to the assault of Mr. Jefferson in a series of much more elaborate articles than those already noticed. They were published in the (Philadelphia) Gazette of the United States, over the signature of "Catullus," were six in number, and extended to the close of the year. They appeared formally, as an answer to a writer who signed himself Aristides, and who undertook to defend the Secretary of State.

Hamilton was at once generally understood to be the author of these attacks; and they are now published as his own in the authorized collection of his writings.

Washington wrote Jefferson:

How unfortunate, and how much to be regretted is it, that while we are encompassed on all sides with avowed enemies, and insidious friends, internal dissensions should be harrowing and tearing our vitals.

The latter to me is the most serious, the most alarming, and the most afflicting of the two; and without more charity for the opinions and acts of one another in governmental matters, or some more infallible criterion by which the truth of speculative opinions, before they have undergone the test of experience, are to be forejudged, than has yet fallen to the lot of fallibility, I believe it will be difficult, if not impracticable, to manage the reins of government, or to keep the parts of it together; for if instead of laying our shoulders to the machine after measures are decided on, one pulls this way and another that, before the utility of the thing is fairly tried, it must inevitably be torn asunder; and in my opinion the fairest prospect of happiness and prosperity that ever was presented to man, will be lost, perhaps forever.

My earnest wish, and my fondest hope, therefore, is, that instead of wounding suspicions and irritating charges, there may be liberal allowances, and temporizing yieldings on all sides. Under the exercise of these, matters will go on smoothly, and, if possible, more prosperously. Without them everything must rub; the wheels of government will clog; our enemies will triumph, and, by throwing their weight into the disaffected scale, may accomplish the ruin of the goodly fabric we have been erecting.

I do not mean to apply this advice or these observations to any particular person of character. I have given them in the same general terms to other officers of the Government; because the disagreements, which have arisen from difference of opinions, and the attacks which have been made upon almost all the measures of Government, and most of its executive officers, have for a long time past filled me with painful sensations, and cannot fail, I think, of producing unhappy consequences at home and abroad.

On September 9, 1792, Jefferson replied to the President from Monticello:

I now take the liberty of proceeding to that part of your letter wherein you notice the internal dissensions which have taken place within our government, and their disagreeable effect on its movements. That such dissensions have taken place is certain, and even among those who are nearest to you in the administration. To no one have they given deeper concern than myself; to no one equal mortifications at being myself a part of them. Though I take to myself no more than my share of the general observations of your letter, yet I am so desirous ever that you should know the whole truth, and believe no more than the truth, that I am glad to seize every occasion of developing to you whatever I do or think relative to the Government; and shall, therefore, ask permission to be more lengthy now than the occasion particularly calls for, or could otherwise perhaps justify.

When I embarked in the Government, it was with a determination to intermeddle not at all with the Legislature, and as little as possible with my co-departments. The first and only instance of variance from the former part of my resolution, I was duped into by the Secretary of the Treasury, and made a tool for forwarding his schemes, not then sufficiently understood by me; and of all the errors of my political life, this has occasioned me the deepest regret. That I have utterly, in my private conversations, disapproved of the system of the Secretary of the Treasury, I acknowledge and avow; and this was not merely a speculative difference. His system flowed from principles adverse to liberty, and was calculated to undermine and demolish the Republic, by creating an influence of his department over the members of the Legislature. I

saw this influence actually produced, and its first fruits to be the establishment of the great outlines of his project by the votes of the very persons who, having swallowed his bait, were laying themselves out to profit by his plans; and that had these persons withdrawn, as those interested in a question ever should, the vote of the disinterested majority was clearly the reverse of what they made it. These were no longer the votes then, of the representatives of the people, but of deserters from the rights and interests of the people; and it was impossible to consider their decisions, which had nothing in view but to enrich themselves, as the measures of the fair majority, which ought always to be respected.

Randall proceeds:

On Mr. Jefferson's return route from Monticello to the seat of Government, he reached Mount Vernon on the 30th of September and remained until after breakfast the next morning. A conversation there took place between him and the President, which stands in the light of an answer to a part of his letter to the latter of September 9th, and as such possesses much interest. It was recorded in the Ana, on the same day it took place, at Bladensburgh, where Mr. Jefferson stopped over night. After giving some preliminary conversation, in which the President very strongly expressed his regret at the proposed retirement of the Secretary of State, and declared his own reluctance to remain in office, but his determination "to make the sacrifice of a longer continuance," "if his aid was thought necessary to save the cause to which he had devoted his life principally," the record proceeds:

He (the President) then expressed his concern at the difference which he found to subsist between the

Secretary of the Treasury and myself, of which he said he had not been aware. He knew, indeed, that there was a marked difference in our political sentiments, but he never suspected it had gone so far in producing a personal difference, and he wished he could be the mediator to put an end to it. That he thought it important to preserve the check of my opinions in the administration, in order to keep things in their proper channel, and prevent them from going too far. That as to the idea of transforming this Government into a monarchy, he did not believe there were ten men in the United States whose opinions were worth attention, who entertained such a thought. I told him there were many more than he imagined. I told him, that though the people were sound, there were a numerous sect who had monarchy in contemplation; that the Secretary of the Treasury was one of these. That I had heard him say that this Constitution was a shilly shally thing, of mere milk and water, which could not last, and was only good as a step to something better.

Randall goes on:

President Washington finally consented to become a candidate for re-election. He met with no opposition and received a unanimous vote in the Electoral College. The Federalists supported John Adams for the Vice Presidency, and the Republicans George Clinton, of New York. The former received seventy-seven electoral votes, and the latter fifty. But several considerations prevented this from being made as purely a test of the relative strength of parties as that which took place in the congressional elections under the new Appointment Bill. The Republicans carried a decided majority of the members. Precisely how large that majority was, it would now be difficult to say, for be-

fore the meeting of the third Congress, events took place which changed the partisan relations of some of the members. The Republicans lost considerably in this way, yet on the vote of the Speakership they still had a majority of ten.

Mr. Jefferson's determination to retire from the Cabinet at the close of the President's first term of office (now rapidly approaching) had become known to a few intimate friends; and on the assembling of Congress in the preceding November, it had soon spread throughout the Republicans of that body. Their regret was universal, and they earnestly besought him to reconsider his determination.

Mr. Jefferson on February 7, 1793, waited on the President and informed him as follows:

That I should be willing, if he had taken no arrangements to the contrary, to continue somewhat longer, how long I could not say, perhaps till summer, perhaps autumn. He said, so far from taking arrangements on the subject, he had never mentioned to any mortal the design of retiring which I had expressed to him, till yesterday, when having heard that I had given up my house, and that it was rented by another, he thereupon mentioned it to Mr. E. Randolph, and asked him, as he knew my retirement had been talked of, whether he had heard any persons suggested in conversation to succeed me. He expressed his satisfaction at my change of purpose, and his apprehensions that my retirement would be a new source of uneasiness to the public.

Randall says:

Congress met on the 24th of October. The most conspicuous of the old members had been rechosen. The Republicans (as we may now call them), had gained somewhat, but their opponents, the Federalists,

continued in a majority in both houses, and in a very decided one in the Senate. Aaron Burr, a man destined to exert an important influence on the future fortunes of two members of the President's Cabinet, took his seat in the Senate from New York, in the place of Hamilton's father-in-law, General Schuyler, whose unpopular manners, as much as his views, had led to his defeat. His colleague, whose time had not yet expired, was Rufus King, perhaps the ablest member of the Federal party in the Senate. The most prominent Republican member was James Monroe.

Randall states that during Jefferson's absence in Virginia the malcontents in western Pennsylvania on the subject of the excise law had advanced to a point where they were supposed to require the interposition of the federal government.

Another cause of disturbance was the arrival of the minister of the revolutionary French government, Genet, who endeavored to drag the United States into the war then raging between England and France. Jefferson was accused of furthering Genet's plans. In any case his sympathies were French.

Randall reports Jefferson as speaking as follows:

From the moment . . . of my retiring from the Administration, the Federalists got unchecked hold of General Washington. His memory was already sen-

sibly impaired by age, the firm tone of mind for which he had been remarkable was beginning to relax, its energy was abated, a listlessness of labor, a desire for tranquillity had crept on him, and a willingness to let others act, and even think for him. Like the rest of mankind, he was disgusted with the atrocities of the French revolution, and was not sufficiently aware of the difference between the rabble who were used as instruments of the perpetration, and the steady and national character of the American people, in which he had not sufficient confidence. The opposition, too, of the Republicans to the British treaty, and the zealous support of the Federalists in that unpopular but favorite measure of theirs, had made him all their own.

In 1794, the discontented in western Pennsylvania openly rebelled against the federal government's attempt to collect the excise tax on whiskey.

Washington wrote to Henry Lee, in command of the militia to put down the Whiskey Rebellion, on August 26, 1794:

> I consider this insurrection as the first formidable fruit of the Democratic Societies . . . . instituted by artful and designing members to sow the seeds of jealousy and distrust amongst the people of the Government.
>
> I see under a display of popular and fascinating guises the most diabolical attempts to destroy the best fabric of human government and happiness, that has ever been presented in the acceptance of mankind.

Jacobin Clubs similar to those vicious clubs in France spread all over the country; they excited the dread and abhorrence of Washington and Marshall but the approval of Jefferson. Washington wrote Houston, on August 10, 1794, of these clubs: "They are spreading mischief far and wide", and he wrote to Edmund Randolph on October 16, 1794:

> If these self-created societies cannot be discountenanced they will *destroy the government of this country.*
>
> We have seen [referring to France] the representatives of the people butchered and a band of relentless murderers ruling in their stead with rods of iron. Will not this or something like it be the fate of our wretched country? Is not this hostility and distrust (to just opinions and right sentiments) chiefly produced by the slanders and falsehoods which the anarchists incessantly inculcate?

In the war then raging in Europe, American shipping suffered, particularly at the hands of England. In 1795, Washington sent John Jay abroad to negotiate a new treaty with the British government. It met with little public favor.

Randall speaks of the Jay Treaty as follows:

> Not a distinguished Republican in the United States approved the treaty; and not a few of them were re-

ported to have said or done things on the occasion which showed that they were not a little moved from their "propriety." The celebrated Langdon, of New Hampshire, was said to have condensed his argument and explanation in regard to the document (at a meeting at Portsmouth, we think), into the sententious remark that "'Tis a damned thing made to plague the French!" Mr. Jay was in several places burnt in effigy.

The counter demonstrations in favor of the treaty were few and feeble. The New York Chamber of Commerce, and bodies principally of commercial men, in a few other places, memoralized the President in its favor, but we think not one imposing popular demonstration was made on that side.

The strength and violence of the torrent themselves led to a partial reaction. General Washington being now personally assailed, his immense popularity was directly thrown into the scale of the Federalists, who supported the treaty. He was now first avowedly and severely attacked, for an important measure imputed to himself; and his old companions in arms, his Revolutionary comrades generally, and that portion of the rising generation who properly revered his great name, were painfully affected by these oftentimes harsh public strictures. The conservative men of the country became alarmed at such manifestations of alienation between the Government and people; and thousands who had not the least favor for the treaty, felt that it was necessary to rally around the Government, and arrest the torrent of popular excitement, for the purpose of ensuring stability at home, or avoiding a sudden and violent precipitation into the warlike struggle going on in Europe. The Government was, therefore, really rapidly gaining strength when it appeared stripped of all external support.

Mr. Jefferson fully shared in the general disapprobation of the treaty.

The fourth Congress met on the seventh of December. The opening speech of the President announced the conclusion of peace with the northwestern Indians on suitable terms; a treaty with Algiers; the near close of negotiations with Madrid for the cession of the navigation of the Mississippi; and, finally, the treaty with England.

An acrimonious debate was held in the House of Representatives over this address.

On April 24, 1796, Jefferson wrote Philip Mazzei, then in Florence, a letter containing the following remarks:

The aspect of our politics has wonderfully changed since you left us. In place of that noble love of liberty and Republican Government which carried us triumphantly through the war, an Anglican monarchical and aristocratical party has sprung up, whose avowed object is to draw over us the substance, as they have already done the forms, of the British Government. The main body of our citizens, however, remain true to their Republican principles: the whole landed interest is republican, and so is a great mass of talents. Against us are the Executive, the judiciary, two out of three branches of the Legislature, all the officers of the Government, all who want to be officers, all timid men who prefer the calm of despotism to the boisterous sea of liberty, British merchants and Americans trading on British capitals, speculators and holders in the banks and public funds, a contrivance invented for the purposes of corruption, and for assimilating us in all things to the rotten as well as the sound parts of the British

model. It would give you a fever were I to name to you the apostates who have gone over to these heresies, men who were Samsons in the field and Solomons in the council, but who have had their heads shorn by the harlot England. In short we are likely to preserve the liberty we have obtained only by unremitting labors and perils.

Randall continues:

The fall elections of 1796 brought an important change to the future life and prospects of Mr. Jefferson. We have seen him reiterating to Madison his strong and determined disinclination against becoming a candidate for the Presidency—and urging the latter to assume that position. The Republican party willed it otherwise. When the subject began to be generally mooted, it became speedily apparent that the decided preferences of that party all pointed to Mr. Jefferson—indeed, that no other man was, or would be, thought of as its candidate. By the middle of summer he was its universally understood nominee, in case General Washington should decline a re-election. The latter declared his determination to do so, in his celebrated Farewell Address, published in September; and thenceforth the canvass was opened with spirit between Mr. Jefferson and Mr. Adams, who was the candidate of the Federalists.

The Presidential and Vice Presidential candidates in the election of 1796 were John Adams and Thomas Pinckney on the part of the Federalists, and Thomas Jefferson and Aaron Burr on the part of the Republicans. Under the then Constitution, the candidates for both offices were voted for in the electoral college of each State, without designating which the elector intended for the first and which for the second office.

Lists of these votes were transmitted to the seat of Government, and the candidate having the greatest number (if a majority of the whole) became President, and the one having the next greatest number, Vice President. It might thus happen that by the intentional or accidental subtraction of one vote from the real Presidential candidate of the victorious party, he might be reduced to the second position, and a man not voted for by a single Presidential elector in the Union (unless the one who subtracted his vote from the real candidate) with the intention or desire of making him President, would receive that office. If the two highest candidates received an equal number of votes, the House of Representatives (as now) was to proceed immediately to choose by ballot one of them for President, voting by States, each State having one vote, and a majority of all the States being necessary to a choice. In case of a tie on the Vice President, the Senate was to choose between the equal candidates. . . .

The vote in the electoral college stood for Mr. Adams, seventy-one; for Mr. Jefferson, sixty-eight; for Mr. Pinckney, fifty-nine; for Mr. Burr, thirty; for Samuel Adams, fifteen; for Oliver Ellsworth, eleven; for John Jay, five; for George Clinton, seven; and ten votes were scattered between five other candidates. Accordingly Mr. Adams was chosen to the Presidency and Mr. Jefferson to the Vice Presidency.

Thus Jefferson became Vice President when John Adams was inaugurated President. At this time the Federalists controlled both branches of Congress. A strong reaction against the French Revolution was evident, and the Federalists took advantage of it to

pass the Alien and Sedition Acts, by which the government was empowered to stop newspaper criticism of its measures and to expel undesirable aliens from the country. By so doing, they delivered themselves into Jefferson's hands.

Jefferson now prepared to appeal to the principle of states' rights against what he considered the tyranny of the majority. He secretly prepared his famous resolutions of 1798. The most important of them, as follows, was passed by the Kentucky legislature in November, 1798:

1. Resolved, That the several States composing the United States of America, are not united on the principle of unlimited submission to their general Government; but that, by a compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a general Government of certain definite powers, reserving, each State to itself, the residuary mass of right to their own self-government; and that whensoever the general Government assumes undelegated powers, its acts are unauthoritative, void, and of no force: that to this compact each State acceded as a State, and is an integral party, its co-States forming, as to itself, the other party: that the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers; but that, as in all other cases of compact among powers having no common judge, each party has

an equal right to judge for itself, as well of infractions as of the mode and measure of redress.

Similar resolutions were passed by the Virginia legislature.

This was one of the cornerstones of secession. But circumstances made it unnecessary for Jefferson himself to go further in the way of resistance to the general government. In 1800 he and Aaron Burr were the candidates of the Republicans and received a large majority over Adams; as they both had the same number of votes, neither was elected, and the selection of a president was thrown into the House of Representatives.

The balance of power was now in the hands of the Federalists. They inclined to elect Burr rather than Jefferson, but Hamilton intervened in the latter's behalf, and at length he was chosen. The history of the United States here changed. The Federalist regime and nationalism were replaced by Jefferson and democracy.

CHAPTER VI.

Development of Secession

WASHINGTON justly set the greatest value on the Union which he had done so much to promote. His farewell address to the American people dwelt strongly on this theme:

> The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquillity at home, your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively directed, it is of infinite moment, that you should properly estimate the immense value of your national union, to your collective and individual happiness.

Never was prophesy better realized; hardly had the new government of the United States been firmly seated in the saddle and strengthened by some years of practice than movements began to break up the Union, to create

which had been the last and greatest work of Washington. The first attempts against the Union, however, did not come, as might have been expected, from the party of Jefferson. Jefferson indeed, in the Kentucky and Virginia Resolutions, furnished arguments for disunion that were later to be used with dire effect, but secession actually uprose for the first time in New England.

The reason for this was New England's profound discontent with the accession of Jefferson as President and with the policy pursued by Jefferson and his successor, Madison. If the Democratic-Republican party had lost in the election of 1800, that party would probably have pushed the Kentucky and Virginia Resolutions to the point of open secession; but since the Federalists lost, it was the latter party that first definitely thought of secession. The rule of the Democratic-Republican party displeased New England. Jefferson's embargo injured New England commerce; Madison's War of 1812 with England ruined it. From 1807 to 1814 threats of disunion were freely uttered in New England and, in the Hartford Convention of 1814, the advisability of secession was debated. In fact, there is a striking similarity between the Hartford Convention of 1814 and the Nashville Convention of 1850; both

were preliminary secession movements. However, in New England the causes tending to bring about secession were weakened after peace was restored in 1815, while in the South the irritation that was making the Southerners disunionists continued until it resulted in secession and war.

Now that Jefferson had become President he followed many of the nationalist policies of the Federalist party, for he had no wish to weaken the government of which he himself was the head. The same thing was true of Madison, Jefferson's successor in the Presidency. Madison viewed disunionist activities in New England with alarm and in later years explained that the Constitution of the United States, of which he was largely the author, did not contemplate such a remedy as secession.

Yet secession was considered on a number of occasions—by New England and by the South. In fact New England, jealous of the formation of new states, especially slave states, spoke of secession as late as 1845, when Texas became a part of the Union. It did not act, however, and it might not in any case have acted, no matter how much it felt itself aggrieved. The South did act, and by its action plunged the nation into war and was itself desolated and almost destroyed.

Slavery was not the cause of the first serious quarrel between the North and South: it was the tariff. New England considered secession in 1814 because it was a commercial section and its commerce had been ruined by the war with England. In its desperation, it thought of breaking off from the Union and establishing a New England republic. However, when peace came, the first protective tariff quickly followed, in 1816, and the attitude of New England speedily changed. New England was transformed from a shipbuilding and grain and lumber exporting section into a factory region, and its devotion to a Union that supplied it with a protected market was greatly strengthened.

On the other hand, the South was beginning an economic change that made its trade relations international rather than national; consequently its devotion to the Union, which was strong from 1800 to 1820, gradually weakened. And when its love for the Union lessened under the stress of two great conflicts—those over the tariff and over slavery—it found ready at hand the states' rights philosophy of Jefferson and the disunionist hints of the Kentucky and Virginia Resolutions to encourage it in thoughts of separation from the federation. The whole idea of the right of the state to set its will against

that of the nation in an emergency was there to foster discontent and lead to disunion, though Jefferson himself never carried his theory that far and never wished to do so.

This first tariff, it should be noted, was not sectional; one of its advocates was the young John C. Calhoun, then a nationalist of the broadest views. Calhoun did not remain a nationalist long; the forces of life were alienating the lower South from the rest of the nation. The lower South, just being settled in many parts, was becoming a cotton-raising region, and for cotton-raising at that time slavery was necessary. In other words, the revolution that transformed the United States from a country chiefly engaged in exporting lumber, tobacco, meat and flour into a nation growing textile materials resulted in a definite division between the great sections of the North and West and the South. The North and West remained a region for small farmers and for industries; the lower South was divided into great plantations devoted almost exclusively to cotton-raising and populated by slaves. This development brought the United States to the parting of the ways. South Carolina was the leading state of the lower South, and, as such, lived by cotton-growing. The South, however, was devoted exclusively to cotton-raising, not to

cotton-manufacturing. There are more spindles in the South today than in any other country, but it was not so from 1820 to 1860; in that period there were hardly half a dozen successful cotton mills in the whole area of the Southern States.

The South lived by producing cotton and sold most of the raw product to England. Because it was engaged in international business and was wholly agricultural, the South was opposed to the efforts of New England to raise the tariff. New England, like the South, lived largely by the money that came to the United States for cotton; but New England desired a larger share of the profit made by the South—that is, the difference between the selling price of cotton to exporters and the cost of producing cotton by slave labor. New England sought to increase its share of the cotton profits by raising the tariff, thus compelling Southern planters to pay more for manufactured articles. The South, especially the people of the lower South, bitterly opposed this tax for the benefit of New England manufacturers; they preferred to lower the tariff so as to buy manufactured articles cheaper from England, if New England could not successfully compete. The upper South was divided, and Kentucky

furnished in Henry Clay the first great American advocate of protection.

Clay was born in Virginia but spent most of his life in Kentucky. He was, from first to last, a strong nationalist. He supported the War of 1812 against the opposition of the New England members of Congress and was long a leader in Jefferson's party when that party was the only one in the United States. A division in the party, however, was inevitable and Clay was the principal promoter of it. He was bitterly opposed to Andrew Jackson and, so far, was moved by personal motives; but he was also an advocate of a protective tariff and internal improvements, and so was on the side of the developing principle of nationality that was strong in the West and later became so in the North. As a Southerner of broad sympathies, it was his fate to stand between the sections for thirty years, from 1820 to 1850, and keep the peace by one compromise after another. For this reason he was never elected President—because he was a Southerner who defended slavery and the Southern mode of life and, at the same time, a nationalist whose associates were mostly Northerners. Because he was so much a Southerner the North would not vote for him, and because he was in so many ways a Northerner he failed to gain the

support of the South. As a patriot to whom every part of the United States was dear and who sacrificed his political hopes for the welfare of his country, Clay deserves the veneration of Americans.

Clay's tariff policy brought him into conflict with South Carolina, which, in its arrogance, became the mouthpiece of lower South ambitions. Calhoun was obliged to give up his nationalist ideas and lapse into a narrow advocate of states' rights and an opponent of the protective tariff. He spent his later years in opposing the growth of national ideals, in promoting separatism; he used in this unhappy cause a genius second to few. At length, in 1832, South Carolina came into open conflict with the United States government. It deduced from the Kentucky and Virginia Resolutions the principle that a state has the right to refuse to obey an act of Congress that it believes to be unjust. South Carolina believed the tariff act of 1828, greatly increasing duties on many imports, to be unjust and dangerous, and South Carolina, under Calhoun's leadership, prepared to put this principle of *nullification,* as it was called, into practice. Andrew Jackson, Southern President though he was, was angered by South Carolina's stand, and there was danger of war. Clay saved the situation by sacri-

ficing the tariff and his own career, for he was never forgiven by the New Englanders. The tariff was lowered successively by terms of years. This settlement satisfied the South but gave offense to the manufacturing states and was one of the causes of the Civil War.

The main cause of the war was the effort of the lower South to defeat the will of the majority and make slavery a permanent institution of American life. The lower South was the single aristocratic section of the United States. The charge is often made that Virginia was an aristocracy; this is false. There were never any aristocrats in Virginia except the weaklings from the British court, sent over to rule the colony, most of whom were regarded with deserved contempt by the people. The Virginians of means lived simply on estates usually of no great size and with comparatively few servants. In the lower South, however, there were great estates cultivated by slaves which produced large incomes and led to the beginnning of what would have been a genuine aristocracy if it had not been destroyed by the Civil War.

It was to the interest of these large cotton planters, who lived in luxury and controlled politics, to perpetuate slavery. Indeed, not until cotton raising by slave labor became highly profitable was any apology made for

the institution. Up to that time it was regarded as an evil, by Southerners and Northerners alike.

Virginia, from the earliest times, opposed slavery and the introduction of slaves. It could not prevent the importation of slaves in the eighteenth century, however, because the corrupt courtiers of the British court profited by their sale. Time and again the colonial legislature of Virginia protested against the slave trade, but in vain. The importation was one of the principal reasons for the discontent of Virginia with the royal government and, consequently, one of the causes of the Revolution. In 1774, especially, the Virginia House of Burgesses bitterly complained of the practice, and Jefferson, when he wrote the Declaration of Independence, put in a clause denouncing the British king for furthering the slave trade—a clause that was struck out in deference to Southern and New England opinion.

Virginia continued to oppose slavery, and it was the Virginian, Jefferson, who prevented the introduction of the institution into the Middle West. Virginians practiced the manumission of slaves at death, and this custom prevailed to such an extent that if the legislature had not passed an act in 1816 somewhat checking it, there would soon have

been no slaves left. The movement toward emancipation continued in Virginia until 1832, when an emancipating bill narrowly failed in the legislature.

The immense economic importance of slavery to the lower South, however, saved the institution and led to efforts to extend it. This growth of slavery brought about a protest in the North, which had for some time regarded it as a decaying institution. Now it was seen to be not only not decaying but spreading. The admission of Texas in 1845 brought into the Union a vast territory given over to slave labor. Then it was that Northern members of Congress sought to check the development by advocating the Wilmot Proviso, which forbade the introduction of slaves in the territory gained from Mexico by the Mexican War of 1846-1848. A great struggle followed in Congress, where the members from the lower South advocated slavery with much arrogance and self-assertion. Secession seemed possible at this time, and a convention was held at Nashville in 1850 to consider the measure, but Henry Clay got through Congress the Compromise of 1850, his last act of enlightened patriotism, for he died not long afterward. By this measure, New Mexico and Utah were opened to slavery —if they desired it—while California was

admitted as a free state. A Fugitive Slave Law was passed which enabled slave-owners to follow their runaway servants into any state of the Union and secure them.

For a brief time the slavery issue seemed dead, but it was revived by Stephen A. Douglas, Senator from Illinois, in 1854. Douglas desired to run a railroad from Chicago to the Pacific Ocean through what was then unorganized territory belonging to the United States. It was necessary to have this region organized before the railroad through it could be secured, and Douglas sought Southern support. The price offered was the repeal of the Missouri Compromise of 1820, by which the unorganized territory of the United States was divided by a line: north of this line there was to be no slavery and south of it slavery might exist. Douglas now offered the Southerners the chance to extend slavery into the region north of the dividing line, and they took it.

Kansas was thrown open to slavery—that is, it was to be a slave state if the advocates of slavery were in the majority and formed the state constitution. Settlers from both the free and slave states poured into Kansas and violence followed. It was in this struggle that John Brown first distinguished himself by cruelly murdering a number of pro-

slavery men. Two constitutions were formed by rival governments, and Kansas remained in this condition until the verge of the Civil War, as it was not admitted to the Union as a free state until 1861.

In this conflict the slavery advocates were really defeated in Kansas and they would have been forced to admit defeat if the Supreme Court had not come to their aid. This was in the famous Dred Scott decision, most momentous of all American court pronouncements. John Marshall had made the Supreme Court the judge of the constitutionality of acts passed by Congress and, in this way, he put an end to such resistance to the laws as was offered by South Carolina in the nullification measure of 1832. The slavery advocates thought that they would overthrow their opponents if they could get the Supreme Court to decide in favor of their contention that it was illegal to prevent American citizens from carrying their property into any territory of the United States.

Unquestionably this contention would have been sound in the case of any other species of property than slaves. But slavery was recognized, by all the legislation on the subject, as a peculiar institution and slaves as property of an exceptional character. Nevertheless a majority of members of the Supreme Court,

with Taney, the Chief Justice, decided that the Missouri Compromise preventing the introduction of slaves into any territory of the United States was unconstitutional—consequently American citizens might take slaves into all the territories.

This decision was not rendered until March 6, 1857. One of the clauses of the Constitution cited in support of the decision was that:

> Nor shall any person be deprived of life, liberty or *property* without due process of law.

The court, in citing this, held that property in slaves was under the Constitution on the same plane with property in horses and cattle.

Chief Justice Taney thus speaks of the negro at the date of the framing of the Constitution in his opinion in the Dred Scott case:

> It is difficult at this day to realize the state of public opinion in relation to that unfortunate race, which prevailed in the civilized and enlightened portions of the world at the time of the Declaration of Independence, and when the Constitution of the United States was framed and adopted. But the public history of every European nation displays it in a manner too plain to be mistaken.
>
> They had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social

or political relations; and so far inferior, that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit. He was bought and sold, and treated as an ordinary article of merchandise and traffic, whenever a profit could be made by it. This opinion was at that time fixed and universal in the civilized portion of the white race. It was regarded as an axiom in morals as well as in politics, which no one thought of disputing, or supposed to be open to dispute; and men in every grade and position in society daily and habitually acted upon it in their private pursuits, as well as in matters of public concern, without doubting for a moment the correctness of this opinion.

And in no nation was this opinion more firmly fixed or more uniformly acted upon than by the English Government and English people. They not only seized them on the coast of Africa and sold them or held them in slavery for their own use; but they took them as ordinary articles of merchandise to every country where they could make a profit on them, and were far more extensively engaged in this commerce than any other nation in the world.

The opinion thus entertained and acted upon in England was naturally impressed upon the colonies they founded on this side of the Atlantic. And, accordingly, a negro of the African race was regarded by them as an article of property, and held, and bought and sold as such, in every one of the thirteen colonies which united in the Declaration of Independence, and afterwards formed the Constitution of the United States. The slaves were more or less numerous in the different colonies, as slave labor was found more or less profitable. But no one seems to have doubted the correctness of the prevailing opinion of the time.

This statement of the Chief Justice is in the teeth of the truth of history. Lord Mansfield, in the Court of Kings Bench in 1771, delivered the opinion in the Somersett case, which is referred to by Justice McLean, one of the dissenting judges in the Dred Scott case, as follows:

> No case in England appears to have been more thoroughly examined than that of Somersett. The judgment pronounced by Lord Mansfield was the judgment of the Court of Kings Bench. The cause was argued at great length, and with great ability, by Hargrave and others, who stood among the most eminent counsel in England. It was held under advisement from term to term, and a due sense of its importance was felt and expressed by the Bench.
>
> In giving the opinion of the court, Lord Mansfield said: "The state of slavery is of such a nature that it is incapable of being introduced on any reasons, moral or political, but only by positive law, which preserves its force long after the reasons, occasion, and time itself, from whence it was created, is erased from the memory; it is of a nature that nothing can be suffered to support it but positive law."

There would seem to have been no explanation of this perversion of history except on Lincoln's theory at the time this opinion was delivered that the object was to justify slavery and to vindicate the South in its purpose to perpetuate and extend it to all the states. Most of the capital of the South ac-

cumulated in the previous century and a half was invested in three millions of slaves, without whose labor cotton could not be profitably cultivated according to the belief of cotton-state planters. The opinions of the Chief Justice and the other justices who concurred with him in relation to *slave property* were equally fallacious and, as Lincoln insisted, intended to pave the way for the judicial determination by the most august tribunal in the world that the owners of slaves were entitled under constitutional provisions to carry them into every state of the Union just as they might carry their horses, or other chattels.

Lincoln, as late as June 16, 1858, had an honest conviction that a conspiracy existed in the cotton states to make the institution of slavery a permanent institution, not only in the then existing slave states and the then existing territories of the Union, but also in all the then free states, whose constitutions *expressly excluded slavery.* This result was to be worked out by the Supreme Court of the United States under the perversion of the following provision of the Constitution of the United States: "The citizens of each state shall be entitled to all the privileges and immunities of citizens of the several States." Lincoln was convinced that such evil intent

was plainly squinted at, if not openly expressed, by the majority of the justices in the Dred Scott case.

In his speech at Springfield, Illinois, on June 16, 1858, he boldly charged that "Stephen A. Douglas, Franklin Pierce, Chief Justice Roger B. Taney (who delivered the majority decision in the Dred Scott case), and James Buchanan all understood one another from the beginning, and all worked upon a common plan drawn up before the first blow was struck."

In Lincoln's speech on February 27, 1860, at the Cooper Institute in New York City, he thus referred to the Dred Scott decision and the attitude of the South to it. He was speaking to the South:

> And how much would it avail you, if you could, by the use of John Brown, Helper's Book, and the like, break up the Republican organization? Human action can be modified to some extent, but human nature cannot be changed. There is a judgment and a feeling against slavery in this nation, which cast at least a million and a half of votes. You cannot destroy that judgment and feeling—that sentiment—by breaking up the political organization which has been formed into order in the face of your heaviest fire; but if you could, how much would you gain by forcing the sentiment which created it out of the peaceful channel of the ballot-box into some other channel? What would that other channel probably be? Would the number of John Browns be lessened or enlarged by the operation?

But you will break up the Union rather than submit to a denial of your Constitutional rights.

The four public men that Lincoln charged, as late as June 16, 1858, with having influenced the Dred Scott decision were Democrats, and three of them extreme partisans: Stephen A. Douglas, a violent schemer for the Presidency through the vote of the South; Franklin Pierce, the Democratic President lately retired; James Buchanan, the newly-elected Democratic President; Roger B. Taney, the Democratic Chief Justice of the Supreme Court of the United States. All four of these distinguished Democrats were opposed to the institution of slavery. How far the violence of public excitement and the desire to frustrate the threatened secession of the slave states influenced the extraordinary decision of the majority of the court in the Dred Scott case can never be known, but it rendered the election of Lincoln to the Presidency inevitable in 1860. It will appear from the opinion of Chief Justice Taney that no one but a Southernor from a slave-holding state and one approving slavery would have gone out of his way to outrage the public sentiment of the more than half the states of the Union whose constitutions excluded slavery.

In 1860, the Northern Democrats hoped to save the Union by electing Douglas President. At that moment Douglas was popular in the North and West because he had opposed the Dred Scott decision on the ground that it took away from territories the right to permit or exclude slavery within their limits. His refusal to stomach the Dred Scott decision, however, made him bitterly unpopular in the far South, and the national committee of the Democratic party schemed to defeat him by holding the nominating convention in a city hostile to him. For this purpose Charleston, South Carolina, was selected.

When the convention met, a majority of the delegates favored the nomination of Douglas and declined to put a plank in the platform approving the Dred Scott decision. This led to a split; many of the lower South delegates, led by William L. Yancey, of Alabama, left the convention. An adjournment was then made to Baltimore, where Douglas was nominated by the Northern and Western delegates. The Southern delegates, in a convention at Richmond, nominated the Vice President, John C. Breckinridge. Some of the old Whigs put up John Bell, of Tennessee. The Republican party, fearing to nominate Seward, who had been prominent in the Whig

party, named Abraham Lincoln as an available candidate.

Thus the lower South wrecked the hope of saving the Union, for if Douglas had been supported by a united Democratic party he would probably have been elected. As it was, Lincoln was easily victorious in a split-up field.

On December 20, 1860, South Carolina seceded.

Thus far had the United States come from the purpose of its founders. Established as the highest expression of human freedom, inheriting all that was best in English traditions, morally supported by the Christian religion, the American republic was now threatened by the refusal of the South to bow to the will of the majority and do away with an institution that had become hateful to civilized mankind. It was one of the darkest hours of history, for it seemed that the great experiment had failed. It seemed then that monarchists were right in their contention that stable and righteous government could not be established and maintained by the people themselves, that hereditary rule was the only workable system.

The secessionists used the Kentucky and Virginia Resolutions to justify them, and particularly the "reserved powers" of states.

By this theory, a state could sever its federal relations whenever it felt that it could no longer obtain justice in the Union. Jefferson and Madison were long since dead, but their precepts and example were cited in support of disunion. States' rights, advocated by Jefferson in opposition to what he considered the tyranny of the federal government, had led to disunion and war.

CHAPTER VII.

Davis and the Confederacy

THE leading promoters of disunion were William L. Yancey of Alabama and Robert Barnwell Rhett of South Carolina. Rhett had been in favor of seceding in 1850 and he continued to foster the movement in his newspaper, the Charleston *Mercury,* until at length South Carolina withdrew from the Union. Yancey had ruined Douglas's chance of election by breaking up the Democratic convention of 1860. Another advocate of secession, though a late and reluctant one, was Robert Toombs of Georgia.

When the Confederate convention, at Montgomery, Alabama, met to form a new government of the seceding states, the matter of electing a president of the provisional government came up. None of the men prominent in secession was chosen, but Jefferson Davis, of Mississippi, who had been one of the Southern leaders in the Senate for years but who had entered on secession reluctantly. Davis, however, had done much to bring secession about, for he was one of the national committeemen of the Democratic

party who had selected Charleston as the place for holding the convention of 1860 and had used all his influence to defeat Douglas. He was now elected provisional president of the Confederacy because he was believed to be a moderate man and had the reputation of being an excellent soldier. In reality, however, he was not much of a soldier and was unreliable politically.

Davis' *shiftiness* as a politician is illustrated by his whole career. In his first important speech in the House of Representatives in 1846, he said:

> From sire to son has descended the love of Union in our hearts, as in our history are mingled the names of Concord and Camden, of Yorktown and Saratoga, of Moultrie and Plattsburg, of Chippewa and Erie, of Bowyer and Guilford, and New Orleans and Bunker Hill. Grouped together, they form a monument to the common glory of our common country; and where is the Southern man who would wish that that monument were less by one of the Northern names that constitute the mass?

In 1850, however, he opposed the compromise measures proposed by Clay. Clay said to him: "Come join us in these measures of pacification, and they will assure to the country thirty years of peace. By that time I will be under the sod and you, my young friend, may then have trouble again."

Davis, with the arrogance of a young politician from the cotton states, thus replied in the Senate to Clay's pathetic appeal:

> That I may be understood upon this question and that my position may go forth to the country in the same columns that convey the sentiments of the Senator from Kentucky, I here assert that never will I take less than the Missouri Compromise line to the Pacific Ocean, with specific right to hold slaves in the territory below that line; and that before such territories are admitted into the Union as states, slaves may be taken there from any of the United States at the option of the owners.

In 1851, in disgust at the passage of the Compromise of 1850, Davis resigned his place in the Senate and went back to Mississippi to run for governor and be defeated. In 1852, after his defeat for governor, he advocated the election of Franklin Pierce for president and was rewarded by a place in the cabinet. In 1857 he returned to the Senate.

In 1858 he traveled North. He spoke, in October 1858, in Faneuil Hall, Boston; then, in New York. In reply to an invitation to attend the Webster Birthday Festival, he denounced "partisans who avow the purpose of obliterating the landmarks of our fathers and of men whose oaths to support the Constitution had been taken with a mental reservation to disregard its spirit."

Davis visited Maine in the same month, for the first time. He made a speech at Portland in which he said:

> If, at some future time when I am mingled with the dust, and the arm of my infant son has been nerved for deeds of manhood, the storm of war should burst upon your city, I feel that, relying upon his inheriting the instincts of his ancestors and mine, I may pledge him in that perilous hour to stand by your side in the defence of your hearth-stones.

Some thought he was seeking the Presidency by thus flattering the North.

President Buchanan sent his message to Congress in December, 1860, in which he denied the right to *coerce* the seceding states. On December 20, 1860, South Carolina adopted an ordinance of secession, declaring that that state had resumed its sovereignty. John B. Floyd, Secretary of War, resigned, being in full sympathy with the secession movement and realizing the vital importance of the Southern forts and arsenals to that cause.

Pollard, in his Life of Davis, asserts that on January 5, 1861, a council composed of the fourteen senators from Florida, Georgia, Alabama, Mississippi, Louisiana, Arkansas and Texas met in one of the rooms of the Capitol and recommended the immediate secession of their states and the holding of a convention at Montgomery, Alabama, on February 15,

1861, to organize the Confederacy. This statement would appear to be confirmed by the speedy passage of the ordinances of secession by each of the states named and by the assembling on February 4 of the convention which organized what was called the Southern Confederacy and which elected Jefferson Davis President.

Virginia, North Carolina, and Tennessee took no part in that convention.

When the question of coercion of South Carolina was debated, Davis said on the Senate floor:

> I would have this Union severed into thirty-three fragments sooner than have that great evil befall constitutional liberty and republican government.

Mississippi attempted to secede on January 9, 1861, but Davis continued in Washington until the 21st, when he withdrew. In his farewell speech in the Senate he closed with these words: "Invoking the God of our fathers who delivered them from the power of the lion, to protect us from the ravages of the bear."

All this time President Buchanan was in a painful position, declaring on the one hand that secession was illegal and, on the other, that the coercion of the seceding states was likewise illegal. John B. Floyd, Secretary of

War, a leading secessionist, was sending arms South to aid the cause.

Prior to January 16, 1861, Senator Crittenden, of Kentucky, a splendid type of Southern character and statesmanship, sought to stay the passions of Southern politicians by resolutions reaffirming slavery legislation as without the authority of Congress, denying the power of Congress over slavery in the District of Columbia, and strengthening the Fugitive Slave Law by additional enactments.

These resolutions were voted down by the close vote of 25 nays to 23 yeas. Pollard states that six Southern Senators were in their seats but refused to vote and that Davis was detained in his room by "convenient sickness." Whether this statement of Pollard's is correct the author cannot say, but it was written when most, if not all, of these Senators were alive.

Pollard was on the staff of John M. Daniel, the owner of the Richmond *Examiner,* a man of genius and probably the greatest editor in the South during the Civil War, which position gave Pollard exceptional advantages in learning what was going on around him in Richmond and in Washington. He wrote an interesting history of those times, but much of what he wrote is marred by that

conceit frequently found in the bomb-proof of an editorial sanctum; and being a deep-dyed secessionist, he could not forgive Jefferson Davis and General Lee for the disastrous failure of the Confederacy.

One of the best known biographies of Jefferson Davis is that of Professor William E. Dodd of the University of Chicago.

Professor Dodd gives this gloomy account of the Confederacy within a few months after its organization at Montgomery. The provisional Congress (which was the convention) met for a final session on November 18, 1861. Foreshadowing the already anticipated struggle, Davis said in his message on the first day:

> If we husband our means and make a judicious use of our resources it would be difficult to fix a limit to the period during which we could conduct a war against the adversary whom we now encounter.

By way of inspiring an everlasting hatred and contempt for the North he added:

> If, instead of being a dissolution of a league, it were indeed a rebellion in which we are engaged we might find ample vindication for the course we have adopted in the scenes which are now being enacted in the United States. Our people now look with contemptuous astonishment on those with whom they had been so recently associated. They shrink with aversion from the bare idea of renewing such a connection.

When they see a President making war without the assent of Congress, when they behold judges threatened because they maintain the writ of habeas corpus so sacred to freedom, when they see justice and law trampled under the armed heel of military authority, and upright men and innocent women dragged to distant dungeons upon the mere edict of a despot; when they find all this tolerated and applauded by a people who had been in the full enjoyment of freedom but a few months ago, they believe there must be some radical incompatibility between such a people and themselves. With such a people we may be content to live at peace, but the separation is final, and for the independence we have asserted we will accept no alternative.

These references to the manner of waging the war and to the treatment of civilians by the government of the United States were designed to show the faint-hearted and hesitating in the Confederacy the utter futility of hoping for a restoration of the former conditions, as well as to justify the course of the South. Davis sought to explain in a dignified way the failure of his diplomatic mission to Europe, which had been expected to return with assurances of the coveted recognition of the Confederacy as an independent nation:

We have sought no aid and proposed no alliance offensive and defensive abroad. We have asked for a recognized place in the great family of Nations but

in doing so we have demanded nothing for which we did not offer a fair equivalent.

While the war which is waged to take from us the right of self-government can never attain that end it remains to be seen how far it may work a revolution in the industrial system of the world which may carry suffering to other lands as well as to our own. In the meantime we shall continue this struggle in humble dependence upon Providence, from whose searching scrutiny we cannot conceal the secrets of our hearts and to whose rule we confidently submit our destinies.

Dodd states that the first Confederate Congress under the constitution (which convened in 1862), contained all the elements of discord and disagreement it was possible to assemble under one roof in the South. He declares that the time had already come when Davis felt constrained to hold in check the discordant elements in the "republic." If men had gone off to war in the preceding spring as on a picnic excursion, they were now disposed to hasten back to their homes with even more eagerness. Congress yielded to the unfortunate request of their constituents and twice enacted legislation which would have put into the hands of irresponsible physicians the authority to grant furloughs to anyone who thought camp life not conducive to good health. Davis vetoed these bills. Dodd says:

During the late autumn and early winter of 1861, when the Southern armies were daily being depleted by desertions, furloughs and the expiration of the terms of enlistment, McClellan was organizing the grand army that was to move with irresistible weight upon the Confederate Capital in the coming spring, and Halleck and Grant were not less hopeful of breaking the defenses of the West. At that time an overwhelming force was pressing Albert Sidney Johnston at every point in his long line. News came early in February 1862 that Halleck and Grant would probably break through Albert Sidney Johnston's line even in the dead of winter. Before February 20th it was known in Richmond that all Kentucky was lost and that it would cost a mighty effort to save Tennessee.

Meantime the hope of recognition in Europe vanished. Before the Inauguration on February 22, 1862, Fort Donelson and Roanoke Island had fallen. In the midst of these depressing events the provisional government prepared to give way to the regular government on the 22nd of February, a date which states rights' men of earlier days had affected to despise.

Misfortunes thickened about the South.

On April 6-7, 1862, the battle of Shiloh was fought and General Albert Sidney Johnston killed. At the same time fell Island No. 10 in the Mississippi River, a strong Confederate fortification off the corner of Tennessee; it was lost with 7,000 men and immense military supplies. On April 23, Far-

ragut opened the lower Mississippi to New Orleans and on May 1 Norfolk and the whole lower Chesapeake Bay became Northern territory, as was eastern North Carolina. The end of the Confederacy seemed near at hand.

Long before this Jefferson Davis had disappointed the hopes of the South. The following editorial of the Richmond *Examiner*, of January 1, 1862, was written by John M. Daniel:

> The end of the year just passed fills the mind with melancholy reflections on the vanity of human wishes, the instability of human creations, and the frivolity of all the thoughts of man. Where now is that wonderful country which realized the political dream of philosophers and patriots—that grand temple of liberty, built for eternal duration; that perfect commonwealth, which gave the lie to all the ages, and proved the self-government of nations to be something more than the fable of a noble, but irrational, imagination? What has bcome of that splendid illusion which shed its lustre on the opening mind of the American youth—the lofty thought, that he was born and would live in a glorious republic of heroic States and free citizens, whose title was above the royal rank, and whose birthright was the envy of the world? One short year has ended both alike. The "star-pointing-pyramid" has proven a tower of Babel; that noble faith in the virtue and intelligence of the soil's sons has given place to a disgust and indignation, too deep for utterance in words; and on the plains where perpetual peace was supposed to have made her settled seat, war, with all its original savagery, reigns undisputed. The catas-

trophe, brought by the year that ended yesterday, leaves us not even the sombre consolation of the grandeur that has attended the ruin of other empires. The majestic fabric fell not beneath the giant hand of an invading race, or before the blazing ambition of a secular genius. Enfeebled by the cankers of inaction, and gnawed by the teeth of vermin, it has gone down like a ship whose timbers have been the unsuspected prey of worms and mice.

Vice President Alexander H. Stephens was at odds with Davis and opposition to the latter was already showing itself, as Professor Dodd points out:

It was not to be expected that the head of a revolutionary government on whom depended the *lives* and *fortunes* of *millions* of people could avoid criticism and even bitter hostility.

The Professor continues:

He, Davis, could not conciliate disappointed rivals like Rhett and Yancey, and he failed of course to appease Joseph E. Johnston and Beauregard, both of whom made tacit alliances with his opponents, Johnston with Stephens and Beauregard with the Rhett family.

There is not a shadow of foundation for these false charges against Johnston and Beauregard, but some professors do not permit such immaterial considerations to interfere with their theories.

Professor Dodd alleges, in the face of the facts, that Davis was slow to suspend the privilege of the writ of *habeas corpus*. Davis, in his inaugural speech on February 22, 1862 in Richmond, denounced Lincoln in unmeasured terms for the suspension of the writ and in a few weeks thereafter did the same thing when the need for it was doubtful.

The Professor proceeds:

> Congress set the example of criticism of the Executive, and the policy of Congress was in turn criticized by both Davis and Lee.

It would be difficult for Professor Dodd to find a scintilla of evidence that Lee ever criticized Congress. He was never known during the entire war to criticize any of his blundering or disobedient general officers, except in the single instance in which he confidently expected to capture Sedgwick's corps after the defeat of Hooker at Chancellorsville in May, 1863, when Sedgwick's corps, which had crossed over to the south side of the Rappahannock River at Fredericksburg, was hastening to Chancellorsville without knowledge of Hooker's disaster. Lee directed McLaws to intercept him and prevent his recrossing at a ford above Fredericksburg, which seemed entirely feasible; but Sedg-

wick was permitted to escape. Lee thus addressed McLaws:

> General, I am too old a man to command this whole army and each separate division. I have a right to expect that my orders will be carried out by my subordinates.

The author has seen Stonewall Jackson place under arrest some of his most brilliant generals for permitting their soldiers to straggle on the march. Lee on the contrary never did that, even when subordinates' blunders or disobedience to orders lost a brilliantly-planned battle; he took the responsibility for failure, as in the case of Gettysburg.

Professor Dodd goes on about Davis:

> One of the first difficulties arose in connection with the choice of officers of the army. He made the *mistake of promoting too many of his friends.* . . . . The appointment of John B. Floyd to the command of Fort Donelson was probably the most conspicuous example of Davis' mistaken policy.

Professor Dodd adds that Floyd "failed ignominously," surrendering the vitally important fort and 10,000 troops to Grant. Does Professor Dodd, who claims for himself, as we shall see, almost as much military ability as he concedes to his hero, really believe that

Davis' partiality for Floyd, which led to his selection of that incompetent officer for command at Fort Donelson, was the most conspicuous example of his mistakes in promoting "too many of his friends?" Does the Professor not know, or does he lack the candor to admit, that Davis' most colossal and wilful blunders were his selection of Bragg and Pemberton and Hood for high commands, at the same time removing and humiliating Joseph E. Johnston and Beauregard, two of the most eminent soldiers in the Confederate service?

The only known claim of Floyd to be entrusted with such a command as Fort Donelson was that as Secretary of War in Buchanan's cabinet he had made the vain effort to further Davis' visionary scheme, devised by the latter as Secretary of War in Pierce's cabinet, of inducing Congress to invest largely in camels to furnish military transportation in the Southwest, where the difficulty of moving supplies for the army was serious.

The Professor proceeds in his account of Davis's appointments:

Commissary General Northrop, a member of a South Carolina family of prominence and a West Point graduate, who had seen service in the United States army, was from the beginning slow, uncertain and imper-

vious to suggestion. Lee repeatedly complained of the inefficiency of the department and early in 1864 he suggested the removal of Northrop, but *Davis stood by his appointee.*

Pollard says of Northrop:

> One other instance of remonstrance by Congress against Northrop deserves to be related. Senator Orr, of South Carolina, backed by several Congressmen, attempted to procure his removal, moved by the outcry from the army and the country against an officer especially hateful and ignorant, who was ridiculed for his grotesque incompetency, who had been lampooned as a vegetarian, and had been accused as almost insane.

Professor Dodd informs us that his oratorical hero, Davis, made one of his best speeches at Murfreesboro, in which he told the people of a state made illustrious by two great Democratic Presidents that "The toryism of East Tennessee has been greatly exaggerated" and that, if the people would but arouse themselves and sustain the conflict "a while longer," foreign intervention would be offered and would mark the close of the war.

New Orleans had fallen in the early part of 1862 and Slidell had notified Mr. Davis privately that there was little hope of the recognition of the Confederacy by foreign powers, and yet Davis was seeking to encourage the people, then getting tired of the

war, with that vagary of his imagination, European intervention.

The Professor, proceeding with his narrative of Davis's excursion into the Southwest, in 1862, and after relating his speech at Murfreesboro, when he told the Tennesseans that if they would hold out "a while longer" the Confederacy would be recognized by foreign powers and the war would end, says:

> After a formal review of the army under Bragg and earnest consultation with the commanding officers he continued his journey south by way of Chattanooga, where he had a long conference with Joseph E. Johnston, whom he had recently put in the command of *all the Western forces.*

This statement anent Johnston's being placed in command of all the Western forces the Professor must have known to be untrue, as his own narrative speedily discloses:

> Joseph E. Johnston had journeyed with the President from Chattanooga and had preceded him from Richmond only a few days, though he had hardly recovered from his wound at Gaines Mill [Johnston was wounded at the Seven Pines battle in May, 1862, not at Gaines' Mill]. He was not pleased with his position, he disliked Pemberton, the general in charge of Vicksburg, and he entertained a very low opinion of General Bragg. When he received his appointment to the West, which was next to his rival's the most responsible command in the Confederacy, he remarked

that with Lee's army "I could do something", and the *Examiner*, a sort of Johnston organ, said there was no chance for him to succeed where he was.

Professor Dodd could have found no scintilla of evidence to sustain this libel on Johnston, that he ever for a moment considered Lee his rival or that he ever intimated that he deemed himself entitled to be restored to Lee's army.

The Professor, speaking of Johnston, continues:

> Still he had at Jackson, Miss., a long and friendly conversation with the President about the condition of the Southwest and he remained in Jackson to hear what was looked forward to as the apology of the administration to that portion of the country under these unpromising conditions. Davis rose to address his former constituents, who but two years before had bidden him farewell when he set out for Montgomery to take up the responsibilities of his dangerous office. It was indeed an anxious assemblage. He began by emphasizing his former love for the Union. Then he rehearsed the extraordinary changes of the preceding year (1862), admitting that the war had been far more serious than he had expected, "But we can never, never reunite with the North, a people whose ascendents" he unworthily said, "Cromwell had gathered from the bogs and fens of Ireland and Scotland."
>
> He then entered into a dignified defence of his administration which most fair-minded men have taken to be satisfactory. The failure to invade the North, the necessity for the conscript laws, the disappointing

attitude of Europe was set forth with a frankness that his audience appreciated. On the vexed point of States Rights he said: "I hope no conflict will arise between the States and the common cause, and if any State chooses to inflict such a blow by making conflicting military laws, I hope Mississippi will be the last to join such a suicidal policy."

Professor Dodd states that from Jackson President Davis went to the towns along the Mississippi River up to the neighborhood of Memphis, where according to one newspaper he appeared incognito on December 27, 1862.

On December 30, 1862, while the President was on his return trip, Bragg was attacked by Rosecrans at Murfreesboro. A bloody encounter ensued in which the loss on the Confederate side was 10,000 men, on the Union side 13,000, but the result was a drawn battle. Both armies, bleeding from their wounds, lay opposite each other for two days. Then the Confederate general (Bragg) was led to believe that the enemy was being heavily reinforced. This was untrue, but he ordered a retreat, leaving the field and the rich region in the hands of his unsuccessful rival.

A more alert commander, with the same army and in a friendly country, would have expelled the foe. Davis had trusted him and hoped he would gain a victory. Twice he had let a fine opportunity slip and failed to meet expectations. Bragg disliked Johnston, and the soldiers disliked Bragg. The day of his removal was not distant. Neither was Pemberton strongly entrenched in the public confidence; he was reproached for being a Northerner and a favorite of the President. He was also on bad terms with John-

ston, who was, however, well liked by the people and the army, though as uncertain and slow in his movements as he had been in Virginia.

It would have been impossible for Professor Dodd to find any evidence to support his allegation that Johnston had been uncertain or slow in Virginia. Johnston and Beauregard had won the battle of Bull Run and both advised Davis to concentrate the Confederate forces into two armies, one in Virginia and the other in Tennessee, instead of attempting to guard a line of 1,500 miles penetrated by many navigable streams. This advice Davis rejected because of his fatal delusion that he was a military genius, in the course of which delusion he made the discovery that Bragg and Pemberton were superior to Johnston and Beauregard.

The tragedy proceeds. Vicksburg is lost; the end is in sight.

Professor Dodd says:

Before February 1, 1864, the disintegrating forces and conditions became alarming to the Executive, who nevertheless hoped that if the Confederates would but rally to his support, the cause might be won. He addressed Congress in a special message calling its attention to the state of the country:

"The zeal of the people," he said, "is failing; discontent, disaffection, disloyalty, are manifest among these who, through the sacrifice of others, have enjoyed

quiet and safety at home; public meetings of treasonable character in the name of State sovereignty are being held, soldiers are taken from the armies on the eve of battle under the cover of writs of *habeas corpus,* traitors in the city of Richmond give information to the enemy, and when laws are enacted to prevent these abuses the officials of States, or localities, contrive through legislation or other delays to nullify them."

Professor Dodd adds:

Alarming symptoms indeed were there; the dissolution of the Confederacy seems imminent.

He proceeds:

Davis suggested another remedy. It was the suspension of the writ of *habeas corpus* in all disaffected districts, which would have been equivalent to putting the country into the hands of a supreme dictator.

Dodd comments:

Only some such measure could have saved the Confederacy in 1864.

Professor Dodd doubtless dreamed that he was addressing a class of juvenility and not grown-up men and women who had borne the horrors of hell for nearly four years in pursuit of a phantom, and had witnessed the destruction of the accumulated property of a century, the result of the toil and sweat of its honest yeomanry.

Desperate, Davis and his advisers looked around for further resources.

Professor Dodd says:

Judah P. Benjamin, the hated Jew, whom the President had retained at his Cabinet table despite the thousand and one protests of the Southern people and press, proposed long before Congress met in the early days of November, 1864, to liberate the slaves.

In July, 1864, Davis fatuously removed from the command of the Western army Joseph E. Johnston, who was conducting a brilliant retreat in the face of an overwhelming enemy. Johnston was replaced by John B. Hood, and Hood was defeated and lost Atlanta. Davis joined Hood's beaten army in Georgia.

Professor Dodd in his account of the Hood disaster says:

Leaving Hood at Palmetto, Davis returned to Macon, a centre of as intense Southernism as Charleston itself, and made one of his first great war speeches. He said: "Our cause is not lost. Sherman cannot keep up his long line of communication, and retreat sooner or later he must, and when that day comes the fate that befell the army of the French Empire in its retreat from Moscow will be re-enacted.

The Professor further proceeds:

On September 25, 1864, he met Beauregard, Hardee and Howell Cobb in conference at Augusta, Ga., where it was decided to make the chief feature of the campaign against Sherman the breaking of the Federal communications with Chattanooga. In fact it is difficult to see what other policy was open to him, for Hood's inferior force could hardly be expected to operate successfully against the enemy strongly fortified in Atlanta. The President accompanied by the generals was present at a great rally where the utmost harmony seemed to prevail. He urged the people to sustain the sacred cause of self-government, to cast their gold to the winds, and leave their families behind them for a while. "For if our Confederacy fails, constitutional government, political freedom itself will fall with it."

At this critical juncture the people of Georgia had no gold to cast to the winds, and Davis' reference to winds was ominous of the financial storm that would soon have wrecked the Confederacy without further appalling havoc in precious lives on senseless battlefields.

Professor Dodd continues:

After the interview between Davis and Beauregard, Howell Cobb and Hardee on Sept. 25, 1864, Beauregard set out at once for Hood's headquarters to arrange with him the details of the plan to "smoke Sherman out of Georgia." When Beauregard reached Hood the latter had already crossed the Chattahoochee River on his way

to cut Sherman's communications. *The two generals disagreed as to what was to be expected, and Hood, undoubtedly in accordance with the wishes of the President to whom he gave the most respectful obedience, moved his army to Gadsden, Georgia.* Sherman hastened Thomas back to Tennessee with a force strong enough to defeat any army the enemy could bring against him while he himself took up the march towards Savannah much to the disappointment of the Confederate chieftains. On hearing that Sherman declined to follow Hood, Davis telegraphed the latter on November 7th to change his plans, but the message was not delivered until it was too late and the Southern army, now 44,000 strong, marched into Tennessee where it was disastrously defeated by Schofield and Thomas before the end of the year. Sherman continued his journey toward Savannah.

This last statement of Professor Dodd's is an indictment of Davis, without Dodd's realizing it. According to that statement, at a council of war held at Augusta, on September 25, 1864, between Beauregard, Hardee, Howell Cobb and Davis, a plan of campaign was arranged for poor Hood, whose every move up to that date had been a blunder inflicting carnage on the Confederate army. Then, according to Professor Dodd, Beauregard was sent by this war council to Hood's headquarters to arrange for the carrying out of these orders.

Beauregard and Hood, it seemed, "disagreed"; and the Professor adds, with pro-

found significance, "as was to be expected, Hood, undoubtedly in accordance with the wishes of the President to whom he gave the most respectful obedience, moved his army to Gadsden, Ga." This statement of Dodd's is tantamount to the fateful admission that Davis was *secretly* instructing Hood in the face of the instructions borne to him by Beauregard, to which Davis had publicly assented, to go contrary to those instructions.

While Hood was blindly attempting to follow Davis's absurd notions of strategy, expecting to delude the masterful Sherman into following him, that able general was laughing at Davis's military puerilities and preparing to administer another crushing defeat to Hood. This he did very soon thereafter and before a telegram from Davis to Hood attempting to correct his criminal folly could reach the latter.

John B. Pemberton was another pet without military capacity or experience whose elevation led to disaster.

Davis had a mysterious affection for Pemberton, a captain in the United States army, and placed him in command at Charleston, S. C., from which, under the compulsion of strong opposition, he later removed him. Davis then made Pemberton a lieutenant-general, promoting him over some of the most

brilliant officers in the Confederate service and placing him in command of the Department of Mississippi and Louisiana with headquarters at Vicksburg, the critical point of the Mississippi Valley.

A protest went up from the whole valley of the Mississippi, including Davis' own state, against this absurd appointment. Without any intention of heeding this protest, Davis resorted to a *ruse* similar to that in Hood's case and pretended to place Joseph E. Johnston, whom the people clamored for but whom Davis disliked, in command of the same department but without authority to control the actions of Pemberton, who ignored every order of Johnston's. Pemberton's disobedience led to his being besieged in Vicksburg and forced to surrender.

Johnston wrote:

> Gen. Pemberton made not a single movement in obedience to my orders, and regarded none of my instructions, and finally did not embrace the only opportunity to save the army—that given by my order to abandon Vicksburg.

It is reported that at the time of these disasters, and in explanation of Pemberton's flagrant disregard of all of Johnston's suggestions and orders, the former bore on his person the secret advices of Davis in oppo-

sition to his superior's orders. This accusation Davis in his lifetime never denied.

In the same period Pollard quotes Senator Wigfall as denouncing Davis in the Senate at Richmond in language that the press feared to report. "Only the *Examiner* dared tell of the fires in which he roasted the amalgam of malice and mediocrity," as Wigfall described Davis. Wigfall had been one of the extreme secessionists at the beginning of the war, but he had come to oppose Davis violently.

Pollard further quotes from a Richmond newspaper of that period:

> A remedy for all discontent has suggested itself to the mind of every man who thinks, and has been advised by a thousand mouths in the same breath. It is the creation of a new officer—a Commander-in-Chief—who shall exercise supreme control over the armies and military affairs of the Confederacy; and the appointment of General Lee to be that officer. Such an act, if made in good faith, and solidly guarded against counteracting influences, would restore public confidence, and give the country heart for a new effort equal to that which it has hitherto made.

Pollard comments:

> As the train of disasters had progressed, all eyes had been turned upon General Lee as the remaining hope of the Confederacy. There was an anxiety to put on his broad shoulders the burden of the public cares, and to trust him for a safe deliverance. General Lee could not have been insensible to this trust and

confidence of the people. His modesty could not have barred the knowledge of it; it was in the thoughts and speeches of all men; it was before his eye in every newspaper he read; it reached his ear in every tone of expression.

Pollard further states that, after the campaign of 1864 forced General Lee back to Richmond, Davis was in opposition to Lee:

Since that time the President had been in opposition to him to an extent little known to the public. The people of Richmond would have trembled had they known that after General Lee drew in his defences around the capital, and when Grant shifted his operations south of the James river, he wrote a private letter of warning to Mr. Davis, telling him that he even then had but little hopes of holding the city, and that the loss of his communications, with the numerous cavalry of the enemy operating upon them appeared to be only a question of time; but what would have been the feelings of this people, thus startled and distressed, to have known the additional fact that Mr. Davis, so far from being properly impressed by this letter, despised its warning, and even resented it, in way of reply, by urging Lee to send troops from the small and critical force that scarcely covered the approaches to the capital to aid in the defence of Charleston!

Armistead C. Gordon, one of Davis's biographers and idolaters, thus writes of him:

His qualities of both head and heart were affirmative and aggressive. There was nothing negative or indifferent in his character. Extreme both in his attachments and in his antagonisms, he was a profoundly

loyal friend and relentless enemy. Out of these extremes of opinion and feeling sprung his most odious faults. He was severe in his judgment of those whom he disliked, and slow to perceive or suspect a fault in those he loved and trusted. If once his confidence was shaken, however, from whatever cause—well grounded, or *imaginary*—he was prone to pass to the other extreme, that of entire distrust. The tenacity of his friendship is illustrated by his continued confidence in more than one of his generals who proved unsuccessful commanders.

Gordon generously overlooks the natural and logical results of such traits of character and temper in his idol. One of these results was the loss of Fort Donelson with 10,000 of the flower of the Confederate army and a fortress of vital importance, with the consequent need to hurry conscription. Another one of these logical results was the *killing* and *crippling* of 10,000 more Confederate soldiers by Davis' favorite, Bragg, at the battle of Murfreesboro, one of the bloodiest battles of the war.

Another logical result of such fine traits of character on the part of Davis was the entrusting of the defense of Vicksburg to Pemberton, one of his pets, the killing and crippling of many thousand Confederate soldiers in the battles around Vicksburg, and the final surrender of twenty-odd thousand of them to Grant.

Still another of the logical results of these traits of Davis's was the removal, on July 17, 1864, of Joseph E. Johnston from the command of the army defending Atlanta, and the placing of it at the mercy of Hood, another one of Davis's incompetent pets. Hood's army was quickly routed with the *sacrifice of the lives of many thousand Confederate soldiers,* and Atlanta passed into the hands of Sherman, who at once started on his march to the sea unmolested by Hood. His bleeding and demoralized army was practically turned over to the *personal command of Davis.* He, ignoring the disastrous march of Sherman, led it in an opposite direction and soon subjected it to further massacre.

The winter of 1865 came on, and the Confederate cause was hopeless. Still Davis endeavored to animate the people to new efforts.

Lee thus wrote of the condition of the army on February 8, 1865:

All the disposable force of the right wing of the army has been operating against the enemy beyond Hatcher's Run since Sunday. Yesterday, the men had to be retained in line of battle, having been in the same condition the two previous days and nights. I regret to be obliged to state that under these circumstances, heightened by assaults and fire of the enemy, some of the men had been without meat for three days, and

all were suffering from reduced rations and scant clothing, exposed to battle, cold, hail, and sleet.

Then the South was given a chance to make peace; a meeting was arranged between Lincoln and Seward and Confederate representatives. Alexander H. Stephens, R. M. T. Hunter and Judge Campbell were chosen by Davis as the Commissioners to the Hampton Roads Conference. The conference failed because Davis had instructed his representatives to treat on no other terms than the recognition of the independence of the Confederacy, which, of course, Lincoln could not consider.

R. M. T. Hunter, one of the Hampton Roads Commissioners, joined Davis, it is reported, in a final effort to fire the Southern heart, after his return from the Hampton Roads interview with Lincoln and Seward, and to prolong the agony and bloodshedding of an exhausted people, by misrepresenting what occurred at Hampton Roads. He is reported to have addressed an audience in Richmond within two or three days after his return in insincere language, charging that the Commissioners had been met by Mr. Lincoln with cold insolence:

I shall not attempt to draw a picture of subjugation. It would require a pencil dipped in blood to paint its gloom.

The artful Judah P. Benjamin affected to witness in the hopelessly dejected countenances of his great audience the high spirit and enthusiasm which he knew did not exist. He said:

> How great the difference in one short week! It seems an age, so magical has been the change. Hope beams in every countenance. We now know in our hearts that the people must conquer its freedom or die.

This eloquent Israelite knew that he had no idea of dying with them, for when the Confederacy collapsed on April 2, 1865, about *forty-five* days after this ludicrous and hypocritical harangue was delivered, Benjamin fled from Richmond at midnight and sought a foreign land, where he died.

Pollard in his Life of Davis says of this attempt to further fire the Southern heart after the Hampton Roads Commissioners returned:

> To the volume of rhetorical appeal President Davis himself added the most remarkable speech of his life. It was the last public speech of the President of the Southern Confederacy but in all its circumstances the most splendid and dramatic oration he had ever made.
>
> The author sat near him, and to look upon the shifting lights on the feeble, stricken face and to hear the beautiful and choice words that dropped so easily

from his lips inspired a strange pity, a strange doubt that this "old man eloquent" was the weak and unfit President whom a large majority of his people had been recently occupied in *deposing and abusing.* The sentiment of his speech was that of imperilous, unconquerable defiance to the enemy, "Their insolent officials at Fortress Monroe" Davis said, "little knew that they talked to their masters and it would be their turn to ask for peace before the summer's solstice was reckoned."

And yet in *forty-five* days after this braggadocio, Davis also fled from Richmond with his artful Secretary of State, seeking refuge in some foreign land and attempting to turn his back on the desolation and death he had, in part, wrought.

Alexander H. Stephens, the Vice President of the Confederacy and the leading Commissioner at Hampton Roads, had not the *courage* to expose the farce which was being enacted at Richmond by Davis and Benjamin and Hunter over a dead Confederacy, but he refused to be a party to it. This is what he says in *The War Between the States,* after listening to Davis:

However much I admired the heroism of the sentiments expressed, yet in his general views of policy to be pursued in the situation I could not concur. I saw nothing to prevent Sherman himself from proceeding right on to Richmond and attacking Lee in the rear, to say nothing of any movements by Grant,

who then had an army in front, of not much, if any, under 200,000 men. Sherman's army, when united with Schofield's and Terry's, which were joining him from Wilmington, N. C., would be swelled to near 100,000. To meet these the Confederates had in his front nothing but the fragments of shattered armies, amounting in all to not one half the number of the Federals. When the program of action thus indicated by Mr. Davis in our interviews, as well as in his message and the speech referred to, was clearly resolved upon, I *then* for the first time, in view of all the surroundings, considered the cause as *utterly hopeless*. It may be it was utterly hopeless anyhow, that nothing could have saved it at that time, or at any time.

We may see from Stephen's report to Davis of the real results and tone of the Hampton Roads conference and from authentic records, all of which was well known to Davis when he made his inflammatory speech to fire the heart of the people, that the South by this mad conduct lost a golden opportunity to receive pay for the slaves, to avoid confiscation of its property, to prevent the adoption of the Thirteenth Amendment to the United States Constitution, and in all probability to avoid the assassination of Lincoln and the horrors of Reconstruction.

The author feels it due to the truth of history to relate a conversation had by him with R. M. T. Hunter during the latter's term as Treasurer of the State of Virginia. He would not feel at liberty to repeat this

private conversation but for the fact that what he here relates is fully confirmed by Stephens, who was one of the Commissioners sent by Davis to the Conference at Hampton Roads.

The author was sitting with Hunter on a bench in the Capitol Square at Richmond, Va., early in 1874, when the latter gave him a detailed account of the conference and what led up to it.

Hunter said that the three Commissioners had an interview with Davis before leaving for Hampton Roads. Davis instructed them most explicitly that the only terms upon which the war could end was the unconditional recognition of the independence of the Southern Confederacy. Hunter said that both he and his associates considered that their instructions rendered the mission hopeless in view of the condition of the Confederacy and that when they reached City Point within Grant's lines, from which they were to go down the James River to Hampton Roads and meet Lincoln, they reported their instructions. These Grant communicated to Seward, who replied that under these circumstances a conference would be useless and proposed to call it off. Hunter said that Grant seemed very anxious for the confer-

ence and so informed Seward, who instructed him to pass the Commissioners.

Hunter said that Lincoln treated them with marked courtesy; whilst he and Seward would make no promises, Hunter and his associates were convinced from what both of them said that the South would be compensated to a reasonable amount for the slaves if it laid down its arms and submitted to the authority of the United States. Hunter declared that the Commissioners so reported to Davis, and he expressed himself strongly in condemnation of Davis for his refusal to accept the offer. They all knew that there was no hope for the Confederacy, and that whatever the South could get for the slaves would be of immense help after the war.

Alexander H. Stephens, in his work *The War Between the States,* gives a narrative of what occurred at the Hampton Roads Conference between Lincoln and Seward on the one side, and R. M. T. Hunter, Judge Campbell and himself on the other which confirms Hunter's statement.

Seward told the Commissioners that Lincoln could not express himself more clearly or forcibly in reference to the means of the restoration of peace, supposing the Confederates were consenting to it, than he had done

in his message to Congress in December before and referred specially to these words:

In presenting the abandonment of armed resistence to the national authority on the part of the insurgents as the only indispensable condition to ending the war on the part of the government I retract nothing heretofore said as to slavery. I repeat the declaration made a year ago that while I remain in my present position I shall not attempt to retract or modify the Emancipation Proclamation, nor shall I return to slavery any person who is free by the terms of that proclamation, or by any of the Acts of Congress. If the people should by whatever mode or means make it an executive duty to reinslave such persons, another and not I must be the instrument to perform it. In stating a single condition of peace I mean simply to say that the war will cease on the part of the Government, whenever it shall have ceased on the part of those who began it.

Then Stephens mentions Lincoln's part in the conference:

Mr. Lincoln said that so far as the confiscation acts and other penal acts were concerned, their enforcement was left entirely with him and on that point he was perfectly willing to be full and explicit and on his assurance perfect reliance might be placed. He should exercise the power of the Executive with the utmost liberality. He went on to say that he would be willing to be taxed to remunerate the Southern people for their slaves. He believed the people of the North were as responsible for slavery as the people of the South, and if the war should then cease with the voluntary abolition of slavery by the States he should be in favor

individually of the Government paying a fair indemnity for the loss to the owners. He said he believed this feeling had an extensive existence at the North. But on this subject, he said he could give no assurance, enter into no stipulation. He barely expressed his own feelings and views and what he believed to be the views of others upon the subject.

Mr. Seward said that the Northern people were weary of the war; they desired peace and the restoration of harmony, and he believed they would be willing to pay as indemnity for the slaves what would be required to continue the war, but stated no amount.

Stephens says that he opposed any written report by the commissioners as a *full disclosure of what occurred* could not be made; but Davis insisted and the others agreed, so Stephens signed it.

Stephens says Davis took the position that as there could be *no peace without* the surrender of the Southern armies the people should be aroused by appeals through the press and by public addresses to the full consciousness of the necessity of renewed and more desperate effort. "Davis himself", says Stephens, "seemed more determined than ever to fight it out on this line, and to risk all upon this issue."

Stephens left Richmond on February 9, 1865, and the Vice President of the Southern Confederacy on that day abandoned the Confederacy, leaving the President to play out

the farce until April 2, 1865, when, with the fall of Richmond and the retreat of General Lee's army on that day from Petersburg, Jefferson Davis fled at midnight. Lee surrendered his army to Grant at Appomattox on April 9, 1865, and the Confederacy collapsed just sixty days after its Vice President pronounced it dead.

CHAPTER VIII.

Result and Remedy

THE Civil War was a sad interruption in the development of America; it led to a great economic expansion in the North and West, but to political reversion. Yet it was inevitable under the circumstances, for the South did not have leaders wise enough to avert it.

Slavery could not continue to exist in the United States because it contradicted the principles on which the American Republic had been founded. What these principles were we have seen: a right to trial by jury, to suffrage, to representation in the law-making branch of government—things derived from England. Added to these were developments purely American: the economic independence of the average farmer; the absence of an overshadowing aristocracy; the chance for the average man to make a good living and to acquire property. Since the United States offered its citizens so many good things, it is evident that the negro could not continue to be a chattel: the contrast was too great. Not even the fact that the slaves

were of a different race could prevent emancipation.

The fact that the negroes were of a different race was, however, a vast menace to American civilization. The whole theory of our life rests on the supposition that the average citizen is fairly capable and conscientious: otherwise it cannot exist successfully. Civilization had advanced along strictly racial lines from its beginning in Egypt; apart from the European races there has been practically no progress for thousands of years. The advance of civilization is, with little exception, the work of European races: modern representative government is wholly European. Therefore, when the American negroes were freed by the Civil War and endued with all the rights of American citizens, men of a race totally unprepared suddenly found themselves in possession of the priceless inheritance that had been so painfully handed down and enlarged by the best strains of Europe. The result was a degradation of American political institutions almost sufficient to blast the hope of free government. The South managed to weather this storm, but at the price of the curtailment of its freedom and of the impoverishment of its life. The Southerner who feels compelled to vote the Democratic ticket under all circumstances, because

of the evils of the Reconstruction and the possible threat of negro domination, has surrendered that freedom of choice that is the greatest blessing of representative government; he votes merely for a negation and not for men and measures.

Other evils have come into our life to divert us from the path of political progress and threaten our future welfare. Masses of immigrants from southern and eastern Europe and western Asia poured into the United States for a generation, changing our electorate greatly. These immigrants had no better political heritage and no more political education than the negroes of the Reconstruction period, and yet they were, almost immediately on their arrival on our shores, presented with all the rights and privileges of American citizenship. The result has been the development of the evil "machine" government and the voting of masses of people without regard to real issues. The American electorate of today is far inferior to the electorate of a hundred years ago.

Another evil brought on by the Civil War is the excessive centralization of our national government. The doctrine of states' rights pushed to the extreme of nullification and secession was a great error; but equally so is the theory of nationalism when pushed to

the point of the destruction of states' rights. At present we rely on the national government to do everything, thereby weakening our local governments incalculably and our capacity for self-help. We should do something for ourselves as localities and states: our childish appeals to the national government in every emergency are a dishonor to our political inheritance of self-government.

Lastly, radicalism is undermining the United States and breaking down our institutions. Political radicalism is a plant of evil growth: nothing good has ever sprung from it. The great advances in human progress have come as the result of the resistance of conservatives to encroachments on constitutional liberty. The members of the Long Parliament opposing Charles I. were not radicals seeking to overthrow English institutions: on the contrary, they were trying to preserve the tradition of Parliamentary participation in government. Our forefathers who took part in the Revolution were not destroyers: they were fighting for the American tradition of "No taxation without representation." The radicals of 1793-1800, who approved of the French Revolution, laid down the theory of the right of states to resist the national government: they had much to do with bringing about the Civil War.

The radicals of today construct nothing; all that they can do is destroy. In attempting to destroy American institutions they attack civilization at its roots, for our institutions are founded on principles essential to the welfare and progress of humanity. Radicals do not believe in the institution of private property—at least they would curtail the right to hold property—despite the fact that no communal system in history has been successful. They urge government ownership or control of great industries, in order that the workmen in these industries may levy exhorbitant wages by means of taxation, regardless of the fact that unjust taxation has been the ruin of most civilizations that have fallen and that just taxation is the very basis of English and American liberty. They assail Christianity as if it were an enemy to human rights, regardless of the fact that for the mass of mankind there were no rights before the rise of Christianity. It was Christianity that broke the shackles of the slave in antiquity, that in the Dark Ages taught the serf that he as well as his lord had a soul, that nerved men in every period to stand for truth and justice. And every other bulwark of our social and political system is attacked, as if the condition of mankind would be improved by the overthrow of the only in-

stitutions under which mankind has ever attained happiness.

What is the remedy? The return to the principles of constitutional liberty, the organized defense of American institutions. Our folly has played havoc with our constitutional traditions, as in the case of the Eighteenth Amendment, which has changed the attitude of the average American from veneration of our Constitution, the bulwark of our system, to disgust and ridicule. But we need not commit such errors in the future. By inculcating respect for our traditions, by educating youth in the principles that actuated Washington and Lincoln, we can do much to restore to American life what has been lost by the Civil War, immigration and radicalism. We had sound men in the past. By studying them and making their methods and views our own, we can raise sound men for the future. The fate of America is in the hands of the Americans.

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